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# THE TIMES



35p

No. 65,717

THURSDAY OCTOBER 24 1996

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SECTION 2

Warning after new laboratory tests

## Beef blamed for causing CJD deaths

By Nigel Hawkes, Science Editor

POWERFUL evidence that "mad cow" disease has passed to people through contaminated beef has been produced by a new biochemical test, scientists announced yesterday.

The test shows that the new variant of Creutzfeldt-Jakob Disease which has been diagnosed in 14 people is quite different from other versions of the disease - but virtually identical to BSE.



Collinge: "we should take it very seriously"

While not formal proof that eating beef gave the victims the disease, the scientist who led the research said: "All lines of evidence converge on this conclusion."

Professor John Collinge, whose team made the discovery, added: "I think we should take it very seriously. We cannot predict how many future cases there may be. We need to start talking very seriously about developing therapeutic drugs in case the worst-case scenario arises."

The test developed by Professor Collinge and his team from Imperial College and St Mary's Hospital in London is the first to identify a molecular "marker" for the new strain of CJD and it may ultimately make it possible to diagnose the condition from blood samples. At the moment, CJD can be formally diagnosed only after death.

It will also help scientists to determine whether sheep thought to have scrapie might actually have been infected with BSE and pose a threat to public health. BSE, CJD and scrapie all belong to the same family of fatal brain diseases known as spongiform enceph-

alopathies, which cause the victim to become unsteady and confused.

The new research is unlikely to force any change in government policy, however, since that has been based on the assumption of a link between infected beef and the new variant CJD. The Department of Health said: "This is the first time that we have had experimental evidence to support our view that there may be a link between BSE in cattle and the new strain of CJD. The evidence is not totally conclusive, but it is persuasive."

The findings are likely to increase European pressure on the Government to accelerate the cull of British cows, but farmers insisted that the new evidence did not make British beef any less safe to eat. Sir David Naish, president of the National Farmers' Union, said: "This will cause concern, but the findings merely confirm what was already sus-

pected. Ever since March 20, the safeguards which have been put in place have assumed a worst-case scenario. It does not seem to me that there is anything more that needs to be done."

Professor Collinge and his team started work on developing the new test after a number of CJD patients were found to have unusual symptoms. CJD usually affects older people, but these patients were younger and scientists concluded that they had probably contracted the disease from infected beef. Until now, though, it had not been possible to prove that they were suffering from a distinct strain of CJD. Professor Collinge's team has discovered that not only was their variant quite different from other versions of CJD, but it was in effect identical to BSE - and to BSE transmitted to mice, cats and macaque monkeys.

The test will now be used to investigate whether other species, most especially sheep, have caught it. There are fears that sheep may be carrying BSE after being fed food contaminated with infected material from cows. If so, they could pose just as great a threat to human health as beef. Professor Collinge said that it might also be prudent to test pigs, although there was no evidence that they were affected by this type of disease.

The test developed by Professor Collinge - who has published his findings in the

Continued on page 2, col 5

Farmers rally, page 2



Matthew Harding, described as being "more like a supporter than a director"

## Chelsea stand to be named in honour of Harding

By Joanna Bale, Jason Nisse, Andrew Pierce and Kathryn Knight

CHELSEA football club is to name its new north stand in honour of Matthew Harding, its multi-millionaire vice-chairman who was killed in a helicopter crash late on Tuesday night.

Mr Harding, 42, was one of five men who died when the aircraft crashed into a field at Middlewich, Cheshire, as they travelled back to London after seeing Chelsea lose away to Bolton 2-1. Investigators were last night still trying to establish why the Eurocopter Twin Squirrel helicopter ploughed into trees and burst into flames on impact at 11 pm, leaving no survivors.

Mr Harding, who is credited with having rejuvenated Chelsea with huge injections of cash from his £120 million personal fortune, had been in the process of negotiating with investors, including George Soros, the billionaire trader, to secure an £80 million deal to take the club into the next century.

He had also recently pledged a £1 million donation to the Labour Party, of which it is believed to have received about £600,000. The rest had been due in time for the general election campaign.

The others who died were the pilot, Michael Goss, 33, of Salisbury, Wiltshire and three of Mr Harding's friends: Raymond Deane, 43, of Camberley, Surrey; John Bauldie, 47, a journalist for Q magazine of Richmond, Surrey; and Tony Burridge of Wimbledon, southwest London. Mr Burridge was a director of Benfield Ellinger, a subsidiary of Mr Harding's insurance company, Benfield Group.

One theory being explored by air crash investigators is that the pilot may have been trying to make an emergency

landing after suffering an engine failure as he flew at around 2,000ft in clear skies towards Heathrow. Residents reported hearing the helicopter, the same one used to ferry Tony Blair from this month's Labour conference in Blackpool, apparently having engine problems.

In recent years, Mr Harding shared his private life between his estranged wife Ruth and their four children - Hannah, 18, Luke, 15, and 12-year-old twins Patrick and Joel - and his Ecuadorian mistress Vicky Jaramillo, 17 years his junior, and their two-year-old daughter Ella.

The worlds of football, finance and politics were joined in mourning. Ken Bates, the Chelsea chairman, paid tribute to Mr Harding - a man he had often been at odds with, but had come to love and respect.

He said: "Matthew was a catalyst to the rebuilding of Stamford Bridge, and it is the unanimous decision of the board that the new North Stand should be named after him as a tribute for what he did for the club."

Russ Gullitt, the Chelsea player-manager, said: "He was more like a supporter than a director. I knew him only for a short time, but I will always remember him for his laughter and his happiness after a game."

John Major, an ardent Chelsea supporter, said: "Chelsea was his passion and he did a huge amount to help the club he loved." Mr Blair said: "He was so full of life and vigour and someone deeply committed to his country."

Crucial will, page 3  
Obituary, page 23  
Benfield future, page 25  
Harding's legacy, page 28

### Times reporter killed in crash

KATE ALDERSON, The Times reporter for northwest England, was killed in a car accident yesterday. Miss Alderson, 28, was on her way to cover the Cheshire helicopter crash when she was involved in a collision with another car.

Obituary, page 23

### Indian summer

Southerly winds pushed temperatures above 70 degrees in southeast England, five degrees higher than the seasonal average. Page 24

## Major's crime U-turn stuns Commons

By Philip Webster, Political Editor

JOHN MAJOR stunned the Commons yesterday by announcing that the Government would, after all, pilot through measures to tackle stalkers and child-sex offenders.

Although ministers had insisted as late as yesterday lunchtime that the issues were best dealt with by private member's legislation, the Prime Minister seized on an offer by Tony Blair to assist their speedy passage.

His unexpected change of heart came as party leaders opened the last session of Parliament before the election with an open battle for the moral high-ground in politics.

a conflict given added emphasis by the call this week by Frances Lawrence - widow of the murdered headmaster Philip Lawrence - for a national crusade against the break-up of society.

Four hours after the Queen had outlined the final pre-election parliamentary programme containing 13 Bills, Mr Major had, at a stroke, increased it to 15. The move prompted accusations that he had carried out the fastest U-turn in political history - and overruled Michael Howard, his Home Secretary.

Among the session's proposed legislation are Bills on:  
□ Education - to extend selection in schools and give teachers new disciplinary powers

□ Crime (sentences) - minimum sentences for repeat burglars and drug dealers; automatic life terms for twice-convicted serious violent offenders  
□ Firearms - to ban all handguns above .22 calibre  
□ Primary Health Care - to let GPs set up surgeries in supermarkets  
□ Social Security Fraud - to impose fixed-term penalties

The U-turn, clearly designed to defuse a row that Mr Major felt could unnecessarily damage the Government, was executed even as Mr Blair delivered his speech. The Labour leader had challenged Mr Major to bring forward Bills on stalking and the setting up of a register of sex offenders, saying "we will co-operate to

put them through this House without any delay".

After that pledge Mr Major could be seen holding urgent consultations with Mr Howard, Tony Newton, the Commons' leader, Alastair Goodlad, the Chief Whip, and Michael Heseltine, his deputy. According to government sources he told Mr Newton: "If that is a cast-iron guarantee, then we will do it." Then, speaking after Mr Blair, he announced that he was accepting the "unequivocal" offer of support from Mr Blair. He said: "I accept that. I accept that deal."

It was an extraordinary Commons scene. Mr Blair said he was delighted, adding: "It shows the country what we can achieve in opposition."

Donald Dewar, the Labour Chief Whip, said it was a welcome retreat but showed the Government in complete disarray.

However, ministers and government business managers insisted Mr Major had scored a victory by extracting from Mr Blair a categorical statement on the House floor that Labour would give the Bills the fastest possible passage. They said the intention had always been to keep them separate from the main Crime Bill announced yesterday so they could concentrate public attention on Labour's alleged

Continued on page 2, col 7  
Queen's Speech, pages 12, 13  
Peter Riddell, page 20  
Leading article, page 21

## The Queen is intrigued about a lady's toe too many

By Emma Wilkins and Alan Hamilton



A detail from Steen's Woman at her Toilet

THE Queen was said to be intrigued yesterday by the discovery that a 17th-century painting in her collection shows a lady in a state of undress with six toes on her right foot.

The 1663 painting by Jan Steen is on loan to the Rijksmuseum in Amsterdam where a sharp-eyed Dutch reporter noticed the extra digit. "We had no idea about the extra toe. This is very intriguing," a royal aide said.

The picture shows an unnamed lady of the Elizabethan age at her morning toilet with

her hand resting on one foot. Extra toes and fingers were considered by Tudor society as a mark of ill-fortune. Anne Boleyn, who had six fingers on her right hand, was widely believed to be a witch.

The painting was in Buckingham Palace until 1991 when it was shown in the National Gallery, London. Last year it was displayed across America as part of the travelling Jan Steen exhibition which now takes it to Amsterdam. But English and American gallery-goers failed to notice the extra toe.



"I gather John Bryan's trying to buy it"

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# Hats off to the end of a tarnished era that some will recall as golden

MPs assembled at the Commons yesterday for the State Opening of the House. H.G. Wells, writing 85 years ago, caught the spirit of the occasion: "A memory hangs about me of the House in the early afternoon, an inhuman desolation inhabited almost entirely by silk hats."

The hats have changed, but the desolation yesterday seemed, if anything, more intense.

Silk was no longer the order of the day, except for Bernie Grant. Returning to his roots,

the Labour MP for Tottenham swept into the Chamber swathed in yards of pale blue silk, robed about him in the style of a West African chief, plus a blue silk hat.

Beside him, the Commons chaplain, who had turned up for prayers in a modest little outfit of crimson and gold, looked positively dowdy. He didn't even have a hat.

Elizabeth Peacock did. The Conservative MP for Batley & Spen wore, above a scarlet suit, a bowler-like creation swathed in what appeared to be black mosquito-netting. In

royal blue, Marion Roe (C) was crowned by a big black hat pierced at the front by two enormous crossed arrows — our first fear being that, en route from her constituency of Brookbourne, Mrs Roe had been ambushed by a company of archers.

It was melancholy to watch them. Perhaps this was the last State Opening of an era. For Peter Shore (Lab, Bethnal Green & Stepney) it undoubtedly was the brave and independent-minded former Cabinet Minister is not standing again. His lonely stand on



MATTHEW PARRIS  
POLITICAL SKETCH

defence was immensely controversial within Labour, before a modernised party adopted it as their own.

Unrobed, unthanked and without a hat, Mr Shore arrived early yesterday, watching the younger pups with mild and detached gaze. Opposite him, Douglas Hurd, also departing, seemed alone: not long ago colleagues and

whips would have been tugging his sleeve for a word on this or that, and every journalist's eye would have been upon him.

How suddenly do fires which seemed to blaze steadily for years, fade! All at once, people who seemed to be part of every story, are part of none. The debate that followed MPs' return from the Lords

was ragged, sour and insubstantial. The Prime Minister looked by turns bored, tired or peeved. Whenever he departed from his text, Mr Major lapsed into the tones of a playground combatant, gleeful when he catches his rival out, aggrieved when he himself is tripped.

Tony Blair's countenance seemed to this observer to betray great strain. Perhaps it is just fatigue, or the curious angle (from above and to one side) from which I often see him, but in repose Mr Blair's facial muscles seem to knit

into a strangely angry, frozen look. The suspense is killing him.

Both men, fired as they are by aggression, hope and anxiety, suppose it will never pass. Sir Edward Heath, who arrived early yesterday to join the parade, knows that all things do.

Sketchwriting for *The Morning Chronicle* 160 years ago, Charles Dickens describes an early incarnation of the great man: "There he stands, leaning on his stick, looking at the throng of Esquimaux sites around him with most

profound contempt; and conjuring up, before his mind's eye, the scenes he beheld in the old House, in days gone by, when his own feelings were fresher and brighter, and when, as he imagines, wit, talent, and patriotism flourished more brightly too."

One day, men who are young now will misremember yesterday's mean-spirited and fractious Commons, met this week for one last mean-spirited and fractious gasp, as some kind of a golden age. It is as well to remind ourselves that it was not.

## Dublin moves to speed Sinn Fein entry into talks

BY ARTHUR LEATHLEY AND AUDREY MAGEE

THE British and Irish Governments were at odds last night over moves to include Sinn Fein in cross-party Northern Ireland talks. Ministers in London were irritated when Dick Spring, the Irish deputy prime minister, said Sinn Fein could enter negotiations on Northern Ireland's future within weeks of an IRA ceasefire.

John Major immediately distanced himself from the call, amid signs that the British Government was preparing to impose tougher conditions before allowing Sinn Fein into talks.

Mr Major told the Commons that "even if a new ceasefire is declared, there will have to be more than soft words to convince the Government... that it does not represent another tactical device to be abandoned at any convenient moment." Ministers suggest privately that Sinn Fein should have no place at the negotiations this side of a general election under any circumstances.

In the face of continuing terrorism, Mr Major is under pressure from Unionists to impose tougher restrictions to prevent Sinn Fein entering talks shortly after an IRA ceasefire. British sources appeared to move towards the demands last night, making clearer than before some specific tests that terrorist organ-

isations will have to pass to show clear evidence that there is a lasting ceasefire. These include the ending of terrorist training, the targeting of individuals and buildings and the manufacture of weapons or bomb-making equipment.

Sinn Fein leaders are excluded from talks until there is a "credible" ceasefire and both governments have agreed that there must be no ministerial contacts with Sinn Fein until the IRA ends its current terrorist campaign.

But Mr Spring said yesterday there should be no delay once a ceasefire was declared: "It should happen quickly. Let's have momentum and get into the talks and have an inclusive peace process, at the end of which we have an agreed settlement and peace for all in Northern Ireland."

"The Mitchell principles [governing the talks process] are very clear and the ground rules are set out — let's have the ceasefire, let's get Sinn Fein into talks and let's have an inclusive process."

Mr Spring's remarks on RTE radio yesterday followed signals from Ulster's unionist leaders that they wanted firmer assurance of the durability of any fresh ceasefire ahead of Sinn Fein's entry into the negotiating process. Ministerial aides in London were quick to make clear that there had been no agreement be-

tween the two governments over timing. "Mr Spring is entitled to air his views but they are not our views," said a ministerial aide.

David Trimble, the leader of the Ulster Unionists, pressed John Major last week to rule out publicly Sinn Fein's inclusion within six months of a ceasefire. Pro-Unionist Tory MPs believe that, by setting a firm exclusion period, ministers would send a clear message to nationalist and loyalist terrorists that violence would scupper the prospects of their political allies being allowed into talks. They claim that the parties engaged in the faltering talks might proceed more swiftly if they know that Sinn Fein will not be admitted in the short-term.

According to the Dublin Government, Mr Spring was aware that British ministers were considering extending the time required before Sinn Fein could enter talks. Mr Spring spoke to Sir Patrick Mayhew, the Northern Ireland Secretary, earlier this week.

A Dublin spokesman said: "If the British are trying to up the ante by imposing time restrictions on Sinn Fein's entry into talks then that is extremely negative. Talking about substantial delays before Sinn Fein get into talks is exactly the type of thing that will delay a ceasefire."



Bernie Grant, MP for Tottenham, at the State Opening of Parliament yesterday

## Major's U-turn on crime stuns the Commons

Continued from page 1

opposition to minimum sentences for serious offenders. They had feared that Labour, while not overtly opposing the stalkers and paedophile Bills, might have delayed them to prevent the Government pushing on with more populist legislation.

Mr Heseltine claimed a tactical victory. "We've exposed them. Tony Blair was making the most hypocritical statements about the intention of the Government to delay and to play party politics. The moment he makes a serious offer, we take it."

Privately, however, senior Tories saw Mr Major's speedy footwork as a deft move to take the heat out of the issue and to prevent the Government being outflanked in the raging debate for the moral high-ground.

Labour produced a letter from Jack Straw, the Shadow Home Secretary, to Mr Howard on Tuesday promising to support any government Bills on stalking and paedophiles.

Mr Blair had openly confronted the morality issue, blaming the Government for "tearing and fracturing" society. On crime, the state of the NHS and the economy, it was as if the Conservatives had "just landed from Mars" or been in exile for 17 years, accepting no responsibility for the consequences of their actions, he said.

The Tories' last hope was "a massive collective attack of national amnesia — that we forget the 22 tax rises, the VAT on fuel, the Black Wednesday,

the BSE, the doubling of crime, the doubling of debt, the poll tax, the arms for Iraq, cash for questions, Scott, Nolan, the business failures, the negative equity, the job insecurity, the waste, the inefficiency, the incompetence of the most wasteful, inefficient and incompetent Government in living memory."

But Mr Major denounced Mr Blair's "sanctimonious" response to the legislative programme and gave a warning that any politician "should be very cautious about cloaking himself in righteousness". He said: "I don't know how he can disclaim responsibility for faults in society today when his own Labour Party has consistently championed every fashionable, politically correct cause that has undermined our traditional way of life."

Accusing the Opposition leader of being "evasive and misleading" about his own policies, the Prime Minister insisted Conservative policies had brought about low inflation, falling unemployment and "new hope and new investment" to the inner cities.

The theme of the Queen's speech was portrayed as "opportunity for all" with an education Bill allowing schools freedom to select 20 per cent of bright pupils, and to tighten discipline, and a health care Bill allowing surgeries to offer a "cottage hospital" range of treatments.

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Peter Riddell, page 20  
Leading article, page 21

## Farmers demand urgent action to lift beef ban

BY MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

MORE than 2,000 farmers voiced their anger over the Government's handling of the BSE crisis at a protest rally in London yesterday and called for urgent negotiations to get the European Union ban on British beef lifted.

Sir David Naish, the president of the National Farmers' Union (NFU), drew loud applause as he declared: "I am appalled at the extent of government mismanagement and stupid delays that we have experienced throughout this whole catastrophic affair."

Farmers drove by coach from all over the country to the Central Methodist Hall, many carrying banners proclaiming "British beef is best" and "Give Hogg a roasting" — a reference to Douglas Hogg, the Agriculture Minister, whom they blame for worsening their plight. Sir David

later delivered a box of beef joints, steak and mince from Devon cattle to 10 Downing Street. Similar unsolicited gifts of British beef were presented to the embassies of EU states in London.

The rally was overshadowed by the release of new scientific evidence pointing strongly to a link between recent cases of a new strain of Creutzfeldt-Jakob disease in humans and "mad cow" disease in cattle.

Sir David said: "Essentially the findings merely confirm what was already suspected. All the safeguards which have been put into place since the possibility of a link was disclosed on March 20 have assumed a worst-case scenario. Consumers need have no doubts about the safety of beef in the shops."

At the rally, Sir David called

on the Government to proceed with a selective cull of 120,000 cattle identified as being at special risk of developing BSE, as agreed at the EU summit in Florence in June. That, he said, was the key to getting the export ban lifted.

"Repeated signals from our minister that there will be no significant selective cull — that the UK has changed its mind — are taken in the rest of Europe as meaning that the UK is breaking the Florence agreement."

To cheers, he added: "So, let us get on with the Florence agreement. Let us give ourselves the chance to export. Get your MP, particularly if he is a Conservative MP, to tell the minister to stop prevaricating."

Mr Hogg announced at the end of September that the plans for a selective cull had been suspended. He says he sees no point in the cull, which would require approval by Parliament, because most EU states are determined to maintain the beef ban whatever Britain does.

Sir David also called for help for livestock farmers in the hills, who depend heavily on beef production, and for a speeding-up of the separate cull of cattle over 30 months old. He said he would also continue to press for a restoration of the 10 per cent cut in the compensation paid for cattle culled under the 30-month scheme.

## Beef blamed for CJD

Continued from page 1

scientific journal *Nature* — is based on comparing the size of proteins in the brain. All the spongiform encephalopathies are believed to be caused by an aberrant form of the prion protein, and the test provides a way of distinguishing between different versions of this rogue protein.

The prions are extracted from the brain, placed on a jelly-like material, and subjected to an electric field which

makes them migrate across the gel, leaving a pattern. The team reports that the pattern from "new" CJD is quite different from that of normal CJD. It is, however, closely similar to that of BSE.

So far the test has been used only on brain tissue, but the team believes that samples from lymph nodes or tonsils may also harbour enough of the rogue prion to show up positive. Ultimately, even blood samples may be used.

## £12m sales for midweek lottery

BY CAROL MIDGLEY

CAMELOT, the operator of the National Lottery, will collect an extra £12 million a week in ticket sales as a result of the new midweek draw, the company said yesterday. The jackpot would be £4 million and good causes would receive about £3.8 million a week.

Camelot said it was hoped the Wednesday draw would boost spending on the lottery, currently £67 million a week, by 20 per cent to combat a recent decline in interest.

Camelot needed a second draw to fulfil its £32 billion total sales target by the end of its seven-year licence period.

The news was greeted with dismay by charities and anti-gambling groups. The General Synod, which believes the lottery encourages greed and raises false hope, repeated its call for an independent review of the game.

The Wednesday draw, due to be shown on BBC Television, is likely to begin in the new year and will have the same format of six numbers

from 49 balls as the Saturday game.

Peter Davis, Director-General of Oflot, the lottery watchdog, gave the go-ahead for the new draw. He said: "The National Lottery Act 1993 does not permit me to take account of the effect on other competing bodies. Before deciding to licence the midweek draw, I considered Camelot's application carefully in the light of my statutory objectives to protect players, ensure propriety, and to maximise proceeds for the good causes."

## NEWS BRIEFS

### New Chief of General Staff named

General Sir Roger Wheeler, the senior military commander in Northern Ireland until March, was yesterday appointed the new Chief of the General Staff, the Army's top post. He will replace General Sir Charles Guthrie, who was confirmed last week as the next Chief of the Defence Staff. Sir Roger was chosen in preference to General Sir Michael Rose, who led the UN force in Bosnia.

### Dunblane threat

The Shooters Rights Association is threatening to bring manslaughter charges against Central Scotland Police over the Dunblane massacre, alleging negligence in granting a firearms certificate to the gunman, Thomas Hamilton. Police refused to comment about the proposed action. Free vote, page 13

### Incest rebuke

The Broadcasting Standards Council is to uphold 40 complaints about an incest scene featured in Channel 4's *Brookside*, according to a complainant who let slip on BBC's *Kitroy* that he had received notification from the council. The scene featured a brother and sister kissing while lying naked in bed.

### Instructor sacked

A senior driving instructor was given a suspended prison sentence by magistrates at Burton upon Trent after he drove his car while more than three times over the alcohol limit. John Gooch, 49, of Sutton Coldfield, West Midlands, lost his job with the Driving Standards Agency after admitting the offence.

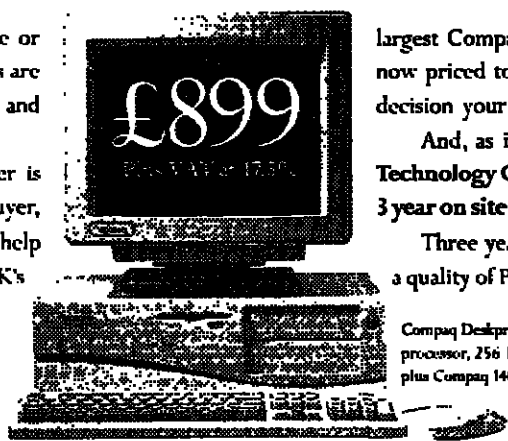
### Goldsmith rebel

Harold Matthews, a 68-year-old retired lift engineer and former prospective parliamentary candidate for the Referendum Party, has defected to the UK Independence Party, claiming Sir James Goldsmith does not go far enough. The UKIP wants Britain to break away from Europe completely.

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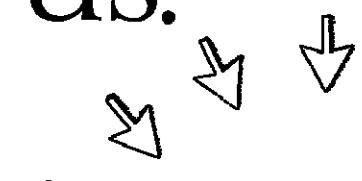
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## Entrepreneur and Chelsea supporter was renowned for generosity and love of game

## Blues fan enjoyed a colourful life lived at the double

By JASON NISSE  
AND ANDREW PIERCE

ONE piece of paper will determine the future of Chelsea Football Club, its ground at Stamford Bridge, the insurance company Benfield Group, the lives of two women and their five children, and the financial strength of the Labour Party. It is the will of Matthew Harding.

The death of the self-made tycoon, avid football fan, new Labour benefactor and unashamed man of the people, leaves a complex web of financial affairs. But the sophistication that Mr Harding, 42, brought to both his business and personal life is sure to show in the will lodged at his City solicitors.

Mr Harding's personal fortune, built up since joining Benfield as a teaboy 23 years ago, is estimated to stand at more than £120 million. This will be divided among his wife, Ruth, their four teenage children, who live at his £1 million home at Ditchling, East Sussex, and his Ecuadorian girlfriend, Vicky Jaramillo, 25, who two years ago bore him a daughter, Ella, and shares his new home in Richmond, southwest London.

The will may include large charitable donations — he worked greatly for Mencap —



Vicky Jaramillo had a child with Mr Harding

but is not expected to provide any more to the Labour Party. Mr Harding, who had never voted Labour before let alone been a member of the party, sprang a surprise on the political establishment with the announcement of a £1 million donation. The cash was used to pay for Labour's poster campaign. Same Old Tories, Same Old Lies.

Mr Harding said at the time of the donation: "I feel that what new Labour under Tony Blair's leadership is trying to do is the right thing. In America you can be fabulously wealthy, be a Democrat, and nobody blinks an eyelid. I never believed that being wealthy means being Tory. Labour has a greater under-

standing of enterprise." The entrepreneur balanced his life between the two homes as well as he balanced the division between his life as a City businessman and company director and his loyalty to the Chelsea fans with whom he has travelled to games for more 30 years.

On match days Mr Harding could be found drinking Guinness and eating oysters in the Imperial Arms on the King's Road, sporting a Chelsea shirt which he would swap for a smart suit to take his seat in the directors' box, often next to the Prime Minister. Last season he was told off for trying to sneak cans of lager into the directors' box at Wembley for the FA Cup semi-final.

At his office in the City, he would often launch into football chants while discussing complex deals in the insurance market. Benfield, where he held a 33 per cent stake which paid him £3.25 million in its most recent financial year, has a reputation for well-executed and innovative transactions and for treating its relatively young staff well. The average salary is £166,000. Tony Burridge, another Benfield director, also died in the crash.

Mr Harding became a backer of Chelsea after offering £5 million to help to build



Matthew Harding, front left, making his way from the helicopter on Tuesday shortly before the crash. He is with the balloonist Per Lindstrand

the new north stand at Stamford Bridge. He soon became embroiled in the team's battles with its landlords and settled the matter by buying the freehold of the site. He was invited onto the board by the club chairman, Ken Bates. But the two have not been close, despite a supposed peace deal in the summer which gave Mr Harding a 25.6 per cent stake in the club. At one point Mr Bates tried to ban him from the directors' box and cancelled his parking space. Mr Harding's reaction was: "Never mind — I'll go and sit in the north stand. I presume that's all right. After all, I did pay for it."

Throughout his involvement with Chelsea, Mr Harding's intention was to build a stable financial environment that would allow the team to thrive. His 14-year-old son, Luke, is also an avid fan. His stake, worth £28 million, is now expected to be sold.

Mr Harding's success came despite failing economics and history A levels. He passed only one, Latin, with a D

grade. Abingdon boarding school, near Oxford, which he attended for seven years, flew its flag at half-mast yesterday. Michael St John Parker, the headmaster, told how Mr Harding had been embarrassed at his lack of academic achievement. "He used to make a joke out of his undistinguished school career and he certainly didn't achieve any distinction here."

Mr Parker said that the former pupil had been generous to the school, both financially and with his time. "He

donated lots of money to the school and even helped to build our new careers room where he would hold court with the pupils and dish out advice on business."

Residents of Ditchling also remembered Mr Harding's generosity, and his passionate involvement in village football. Despite his separation from wife, Ruth, he remained a familiar figure in the village, where he had lived for nearly ten years. He would often attend derby matches at the local Hassocks Football Club

and cheer on his three sons in junior matches. Mr Harding recently donated £18,000 for floodlights at Hassocks FC, where he was vice-chairman, and had donated half an acre of his land to build a green for the millennium in Ditchling.

Mr Harding's parents, Paul and Prudence, and his sister, Grace, all lived only a few miles away. They are understood to have travelled to Cheshire yesterday to identify the body.

Obituary, page 23

## Crash team seek evidence of defect

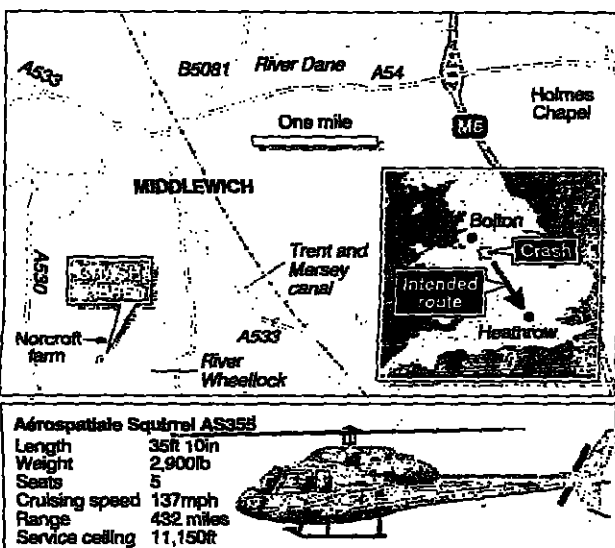
By HARVEY ELLIOTT  
AIR CORRESPONDENT

AIR accident investigators were searching last night for the helicopter's engines, gear box and tail rotor in an effort to establish whether it had suffered a mechanical defect before crashing into a field and ploughing on into a line of trees.

The pilot may have been trying to make an emergency landing after suffering an engine failure as he flew at around 2,000ft over Cheshire towards Heathrow.

They were also studying the impact marks to find out how fast it was moving when it hit the ground and whether the pilot had selected an "autorotation" — when the rotor blades are allowed to windmill freely to enable the helicopter to descend slowly. Before doing so the pilot would have looked out for a dark area in which to attempt to land.

Early evidence suggests that the helicopter came down very quickly while still travelling forward and hit the ground



with such force that it broke up. Helicopters do not carry "black box" flight data or cockpit voice-recording equipment and it was not under direct air traffic control at the time of the accident.

But several witnesses said they had heard a helicopter apparently having problems

with its engine and then seen something falling from the sky. The night was clear and fine and the French-made Aerospatiale Squirrel AS335 was travelling south at around 130mph.

Because he planned to fly to Heathrow, the pilot, Michael Goss, had filed a flight plan

and would have been free to fly at heights of up to between 1,500 and 2,000 feet in uncontrolled airspace until he was within the Heathrow control zone.

The twin-engine Squirrel was fitted with the latest safety equipment, including sophisticated navigation aids and radios. It is renowned for its reliability and sturdiness and is regarded as a favourite among pilots.

There are 857 helicopters registered in Britain and there has been only one fatal crash this year. There has not been a fatality involving a public transport helicopter since 1989.

The number of helicopter accidents throughout the world fell to 209 last year, compared with 272 in the previous year. Most were in the United States, where helicopters are far more widely used.

Investigators say that 90 of the 209 accidents were caused by pilot error, with 42 caused by engine failure and 34 by weather.

## The lads weep for one of their own

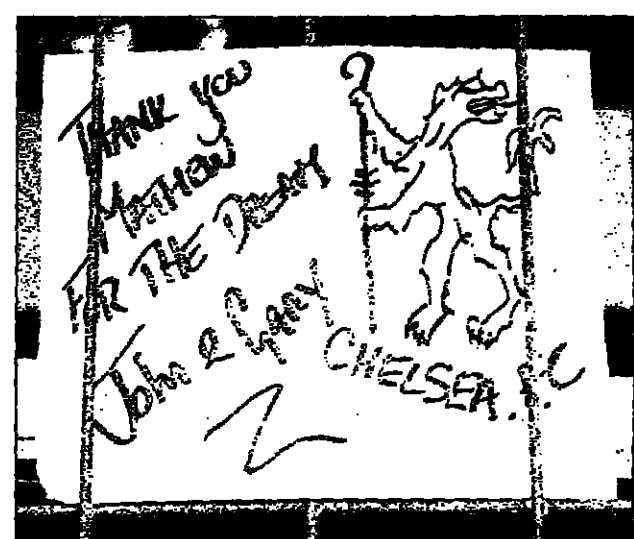
By BILL FROST

CLUTCHING bunches of white carnations mixed with blue ribbons, three burly scaffolders yesterday laid their floral tribute to Matthew Harding at the gates of Stamford Bridge.

Ted, all tattoos and grimy tears, said that he had never cried in public before and probably never would again. His mates also allowed grief to overcome embarrassment on the day that Chelsea Football Club mourned the loss of a millionaire superstar with the common touch.

The scaffolders, part of the human tide of grieving supporters which swept over the ground on Fulham Road in southwest London yesterday, had rubbed shoulders with stockbrokers, estate agents and the unemployed as they waited to lay their flowers. Harding's lifelong passion for Chelsea, his largesse to the club and his love of life touched them all.

The gates soon became obscured by bunches of flow-



In memory: one of the messages at Stamford Bridge

ers in blue and white, the club's colours. There were flags and football shirts too.

Some of the bouquets had been made up by the most expensive florists in Chelsea. Others were hastily mixed at barrows in the nearby North End Road Market. A silent

honour guard of grim-faced children stood watch over the shrine. They had laid their tributes early, but would stay all day.

A fading Chelsea shirt hanging from the main gates had the message: "Matthew — number one Chelsea Fan."

RIP." It was signed by James Hall, aged 9.

Sam Hammam, the Wimbledon chairman, arrived early to lay his wreath to his friend. He said: "Matthew loved the game, he loved life and everybody loved him."

Mark Pulver, vice-president of the Chelsea Independent Supporters Association and another close friend, had been driving back from the defeat at Bolton when he heard an explosion and saw flames from the road. Mr Pulver, 40, pulled his car to the verge, allowing fire engines to pass. He did not know what had happened.

He suggested that the new South Stand should be named in Mr Harding's honour. "He put the fun back into football here. He had no airs or graces. He put his money where his mouth was. He was just your typical lad."

Last Saturday Mr Harding went with his father to the Imperial Arms on New King's Road, his local where Chelsea played at home. Afterwards, he caught a bus home.

As of October 27:

## First across the Chann

## Captain denies trying to kiss fancy dress shipmate

By EMMA WILKINS

A ROYAL Navy captain who is accused of trying to kiss a woman shipmate at a fancy dress party dismissed the allegations yesterday as outrageous.

The 39-year-old veteran of the Falklands war, who can not be named for legal reasons, admitted that he might have touched Claire McGarrity, 25, while on the bridge of his warship. Any contact was, however, designed to move her out of the way so that he could reach navigation charts, he said.

Miss McGarrity, who left the Royal Navy in July last year, is seeking compensation for alleged sexual discrimination at an industrial tribunal in Exeter. "I don't recall putting my hands on her hips, but I could well have done so while trying to move her," the captain told the hearing.

"If I touched her and she was offended I can only apologise, but the bridge of a warship is difficult and dangerous waters and poor weather is a very busy place."

Miss McGarrity's claim that the captain tried to kiss her at a fancy dress party in the Falklands while he was dressed as Julius Caesar and she was a Roman centurion was untrue, he said.

"I do not recall if I danced with McGarrity. If she said I did, then I did. It's quite appropriate that I should dance with the officers, but the suggestion that I tried to kiss her is outrageous."

"I certainly did not. I do not behave in that sort of fashion and I think it is also fairly outrageous for her to say that some of our married officers were in clinches. It's a pity they are not here to defend themselves," he said.

Miss McGarrity's claim that male officers had watched a pornographic film in the wardroom on board ship was ridiculous, he said. "No officer would take the risk of showing a pornographic video."

"They all knew my orders and the way I ran the ship. There would have been disciplinary proceedings if they

were caught and it may well go to court martial."

The captain said he had recommended that Miss McGarrity should be withdrawn from her training course because her attitude and motivation were disappointing. His recommendation was not approved and she went on for further training on HMS Cornwall before returning to the Royal Naval College, Dartmouth.

The tribunal heard she was recommended by the college for withdrawal from training because it was considered she did not have the integrity or character for a naval officer. The Royal Navy claims she was sent home on leave but Miss McGarrity considered she had left the service. Later, when told that she could rejoin the college, she resigned after deciding returning was not in her best interests.

The tribunal has ruled that neither the captain nor the ship should be identified. The hearing was adjourned until today.

## Mystery of recluse's 'suicide'

By DAMIAN WHITWORTH

THE apparent suicide of a millionaire recluse who was found dead in his fume-filled car was being treated by police yesterday as murder.

Lawrence Dabbs, 74, a retired company director, was found in the garage of his bungalow in Ilkeston, Derbyshire, on September 13.

Detective Superintendent Kelynn Ashby, of Derbyshire police, said: "He had been taken to hospital twice just before his death. On both occasions he was found comatose with no apparent reason for it."

Police said Mr Dabbs was known to have made some enemies. They carried out a number of searches in the Ilkeston area yesterday which resulted in eight men helping the investigation. Five were later arrested.

Peter Ashworth, the Derby and South Derbyshire Coroner, opened and adjourned an inquest into Mr Dabbs's death when it was still being treated as a suicide. Mr Dabbs's body has been cremated.

## Cheque 'stolen from Bank of England'

By A STAFF REPORTER

A MIDDLE-AGED couple took part in an elaborate plot to grab a fortune of nearly £10 million with the help of the only cheque ever stolen from the Bank of England, a court was told yesterday.

It involved forged signatures, letters of authority faxed from a veterinary practice, and an impressive instruction from a bogus firm of solicitors allegedly acting for the Nationwide Building Society, it was claimed.

But before the potentially "catastroph-

ic" swindle could succeed, a bank manager became suspicious, made inquiries and called in the police. London's Middlesex Guildhall Crown Court was told. Peter Garnett, 54, a business consultant, was arrested as he turned up to collect £50,000 of the money. His wife Linda, 52, an accountant, was detained later at work.

She refused to answer questions but her husband told detectives that the cheque for £9,768,453 had been handed to him on the concourse of King's Cross station, London, by someone he was

unable to contact. Brendan Finucane, for the prosecution, told the jury that the cheque had been stolen from inside the Bank of England. "It is believed to be the only one that ever has been. It is an unusual situation that any cheque should disappear from there." The cheque related to a Treasury account that the building society held at the Bank. Mr Garnett and his wife of Bermondsey, south London, deny a joint charge of conspiring with others unknown to defraud Nationwide. The case continues today.

# nel-last back.\*

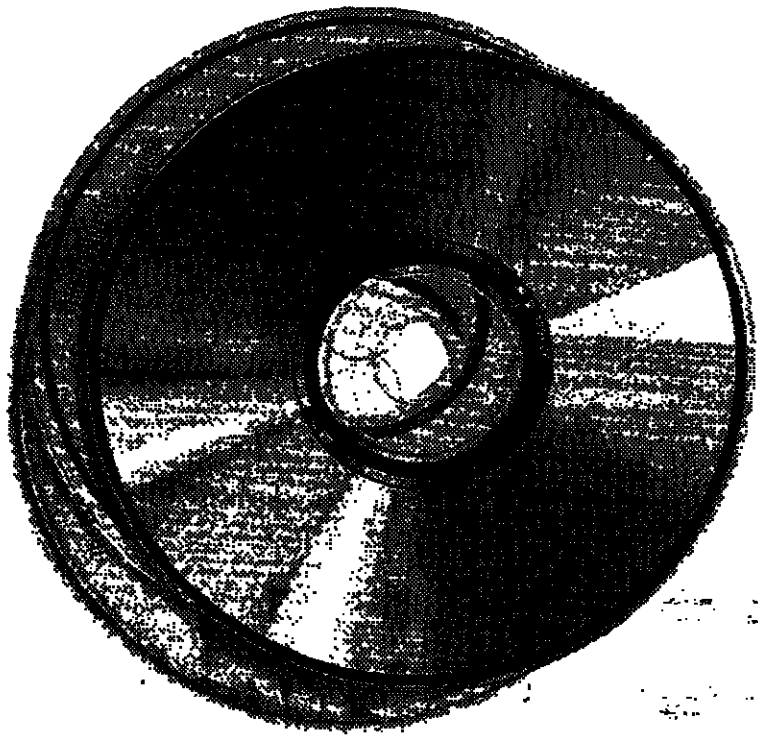
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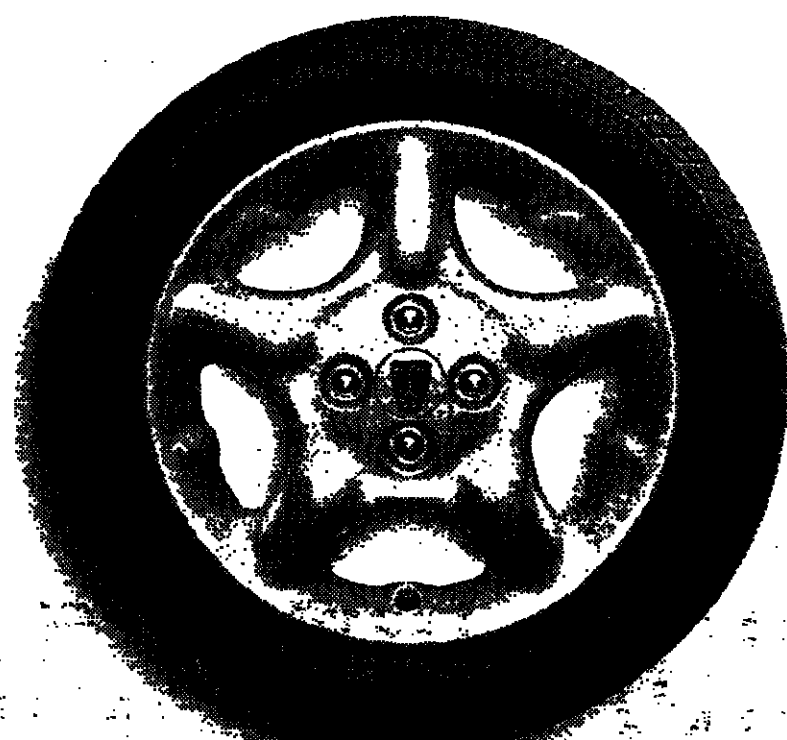
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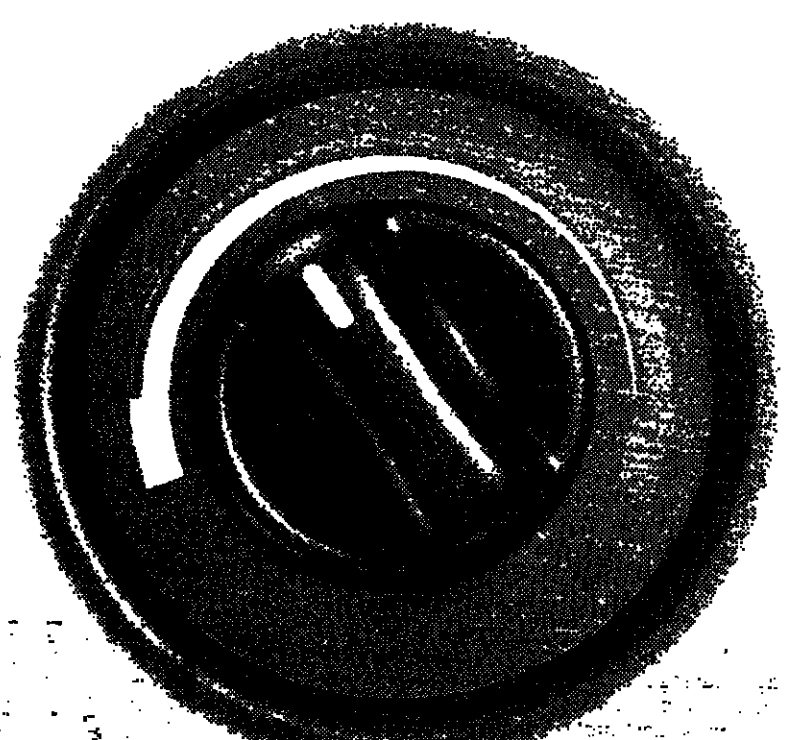
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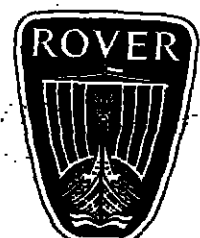


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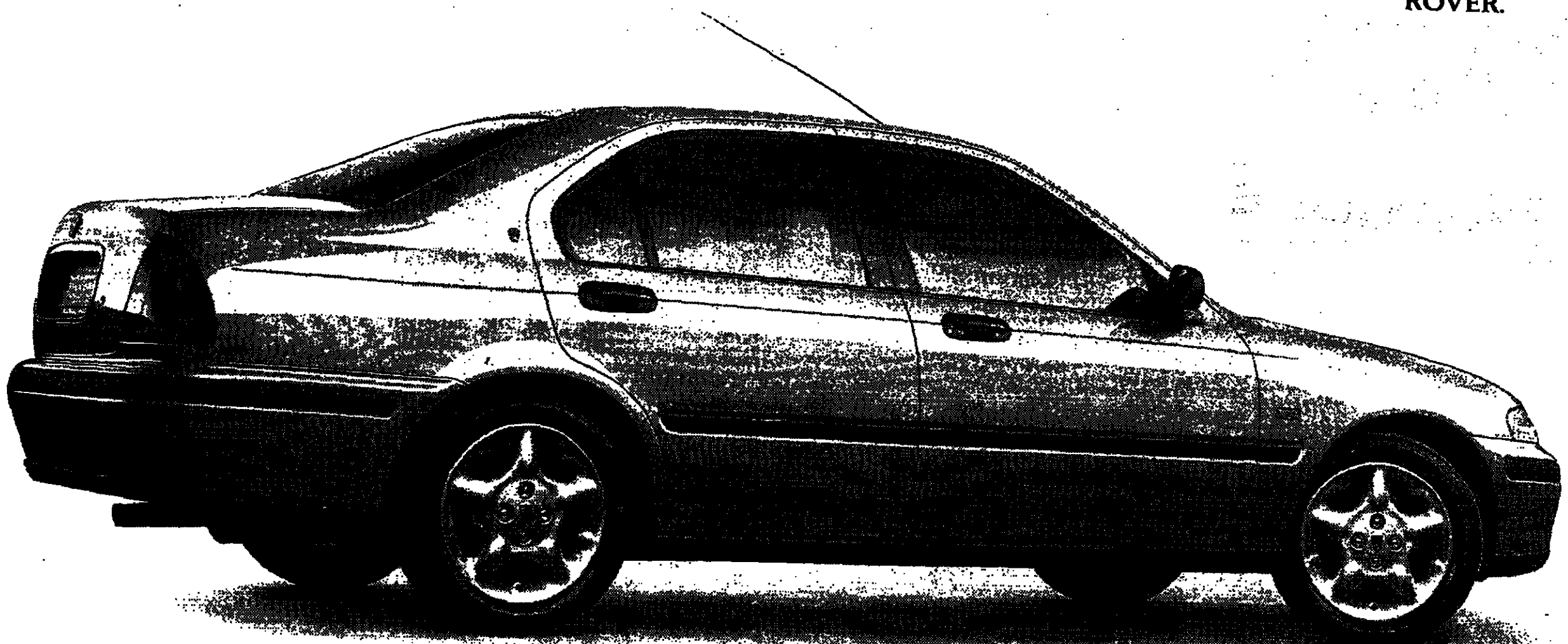
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## Brain study backs tobacco folklore

# Drink to forget, or have a smoke to help the memory

By Nigel Hawkes, Science Editor

IT WAS always said that some people drink to forget. Now it is claimed that smoking may be a way to help to remember. Scientists have shown that nicotine, the active ingredient in tobacco smoke, improves the memory by stimulating the transmission of nerve impulses in the part of the brain involved in learning. The finding may have implications for sufferers from Alzheimer's disease, in which the opposite process takes place. Studies have already shown that smokers have a delayed risk of the disease compared with non-smokers, if they live long enough. The idea that tobacco improves memory has long been part of the folklore of smoking. In a 1659 book lauding "the Wonderful Virtues of Tobacco", Dr Giles Everard claimed that smoking a pipe strengthened the memory. Unlike other alleged virtues he found in the weed, this one has stood up to scientific scrutiny. In a study partially funded by the Smokeless Tobacco Research Council, an industry body that promotes the non-smoking use of tobacco in

products such as snuff and chewing tobacco, researchers from the Baylor College of Medicine in Houston, led by Dr John Dani, investigated the effect of nicotine on cells from the hippocampus area of the brain. At levels typically found in the blood during smoking, they report in *Nature*, nicotine enhanced the transmission of nerve impulses. It appears to do so by mimicking the effect of acetylcholine, a chemical messenger which stimulates the release of other messengers. The process involves the activation of acetylcholine receptors at junctions between the brain cells, the synapses. This provokes the release of calcium ions and of neurotransmitters. The research fits in with previous psychological studies which show that smoking is linked to improvements in memory. Other researchers have shown that nicotine also affects receptors in other parts of the brain, notably those governing mood, emotions and alertness. Dr Lorna Role, of Columbia University in New

York, says: "Nicotine is a sneaky drug. It is interacting with these receptors and tremendously boosting the strength of the signals between brain cells." Newly uncovered documents show that a tobacco industry scientist argued nearly 40 years ago that a suspected carcinogen should be removed from Marlboro cigarettes, or at least reduced. A metabolite of the chemical benzopyrene has been shown to damage DNA in the way shown by smokers who develop lung cancer. In 1958, J.E. Lincoln, who became Philip Morris's vice-president for research, warned of the dangers of benzopyrene. In a memo, he said: "This compound must be removed or sharply reduced. We do this not because we think it is harmful, but because those who are in a better position to know than ourselves suspect it may be harmful." His comments, apparently unsuccessful, are being used as part of Mississippi's lawsuit to force the tobacco industry to reimburse state costs for caring for sick smokers.



Arthur Leatham, left, "the man who shot half the museum" and the curator, Dr David Smith, with a gorilla skeleton that sold for £3,000



## Victorian body count adds up to £80,000 for Eton museum

NOSTALGIC Old Etonians vied with antique dealers yesterday to bid for the politically incorrect relics of Eton's natural history museum, a musky and rather moth-eaten hangover of empire. Big-game trophies, stuffed and mounted eagles, a gorilla skeleton and even a common ferret - many the victims of old boys when slaughter was the height of fashion - went under the hammer for a total of £80,000, twice the estimate made by Bonhams, the auctioneers. The money will be used to re-equip the museum to the more scientific and less bloodthirsty needs of today's A-level biology students. Many of the trophies, including the head and half the neck of a giraffe, which made £400, were given to the museum by Albert Leatham, a legendary Old Etonian who blasted his way through most of the world at the turn of the century and who wrote of his exploits in *Sport in Five Continents*. Among the 20 or more specimens he slew and donated were three red deer, a hippo, a rhino and a warthog. He is still remembered as "the man who shot half the museum". Dr David Smith, the curator, said: "He was an amazing chap, but also very modest. Nowhere in his book does he mention that he went to Eton, and he even admits that he was not a terribly good shot."

The museum, now largely cleared of the creatures that once adorned its walls, is keeping one of Leatham's specimens - an Ichang deer he shot in the mountains of central China in 1904 and which had not previously been known to exist. Leatham, a pupil at Eton from 1873 to 1876, was a big-game hunter straight from the pages of Rider Haggard. In one chapter of his book he writes of his exploits in India. After downing a few meat lozenges for breakfast, he spent hours stalking a stag and then another three hauling the trophy back to camp. In Somaliland he bagged an 8ft lion - his first - which took three bullets to kill and snapped a small tree in its death throes. In another chapter Leatham told of shooting a grizzly bear in British Columbia. "When he got nearly to the base of the cliff and I saw

him clear the trees I sat down and, taking deliberate aim, hit him between the shoulders and he dropped dead in his tracks."

Today's Etonians have less interest in bagging big cats, and in recent years the museum has failed to attract more than a trickle of pupils or the general public. In its new guise it will concentrate on ecology and genetics. The top price of the day, £3,000, was paid by an anonymous buyer for the mounted gorilla skeleton. A pair of lions in a glass case, shot by Lord Wolverton, in Somaliland in 1893, made £1,800, a desert lynx £2,000 and a snow leopard £1,700. The ferret went for £380.

Leading article, page 21

## Farewell party puts host into heavens

By Robin Young and Adam Fresco

A MAN called Roger is to make his last exit as a sprinkling of stardust in the night sky at a fireworks party for his family and friends. His first name has been emblazoned on the side of a 5ft rocket specially built by a fireworks company to contain his ashes. His family - whose surname is not being revealed - made the arrangements in accordance with his last wishes. Roger died of cancer two months ago, leaving a widow, a son aged 10 and a daughter aged 9, in Powys. Last night his widow said that he saw the idea of the rocket party in an American press report: "He thought it was a wonderful way to face death. We all discussed it together and he was treated as a joke." "Most of our relatives don't know about it yet, but the ones that do say it is in keeping with his character. He would have to go out with a bang. He wanted a party with friends and family. It's bringing a bottle and watch the rocket."

Their two children also liked the idea, she said. They found the fireworks company through Yellow Pages. Jon Culverhouse, managing director of Fantastic Fireworks in Pepperstock, Bedfordshire, said: "This is certainly the most extraordinary order we have ever had." Mr Culverhouse received the ashes of the deceased packed in a bag last week, and yesterday they were incorporated into one of the firm's largest rockets. Some of the fireworks assemblers at the factory asked to be excused from the task. He said that his company would not be charging for the fireworks, a German make costing £15, which is the biggest he is allowed to sell to the public. "It is our gesture of sympathy to the widow and her family. Her husband will go out in a trail of as much glory as we are able to provide. We mixed some ounces of the ashes with some star effects, so it will look really good."

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# Judge attacks decision to put boy with brutal father

BY A STAFF REPORTER

A JUDGE who jailed a father for ten years for brutalising his 21-month-old son said a social services decision to place the boy with him "beggared belief". Judge Ian McLean told Philip Scammell and Jill Mills, Scammell's former girlfriend, that it was "a merciful release" that the child eventually died.

The court was told that Ryan Crossett had two broken ankles, a fractured skull and was covered in bite marks and burns when his body was found. The torture he endured included being held against a burning radiator, having a key screwed into his neck and being forced to sit on a potty all day. Although Ryan's death was caused by a respiratory illness, post-mortem examinations revealed he had suffered the most appalling cruelty and neglect.

Judge McLean told Scammell and Mills it was the gravest case of its kind he had ever come across. "No one will ever know the truth about the way in which you brutalised that little boy."

"It was a merciful release



Jill Mills and Philip Scammell were jailed for cruelty

when he died, because who knows what you would have thought of next. The last hours of that child's life have never been fully disclosed because the bizarre accounts given by both of you cannot be believed."

Sentencing Scammell, 28, a window cleaner, he added: "It is said you have feelings of remorse, but no one apart from your counsel has ever seen them. The maximum sentence is to be reserved for the gravest cases and I see no reason to part from that."

He then asked if social services were conducting an

inquiry, adding: "I would like to know whether an unoccupied house, cold, without heating, full of beer bottles, where men play cards, is a suitable home for a child to be placed. That decision beggars belief."

Mills, 38, of Calmore, near Totton, Hampshire, was sentenced to six years after admitting causing Ryan grievous bodily harm, including holding him against a radiator, and four years for two charges of cruelty, the sentences to run concurrently.

Scammell, also of Calmore, was found guilty of two charges of cruelty earlier this

month. Two male members of the jury who convicted him returned to Southampton Crown Court for the sentencing yesterday and wept openly in the public gallery.

Nicholas Haggan, for the prosecution, said Ryan's mother, Carol Crossett, had been in a relationship with Scammell in 1993, but they had split up before Ryan's birth. She was unable to cope with him and he was placed in care.

Mr Haggan said that Hampshire County Council's social services department placed Ryan with his father, who made an arrangement with Mills, who had two children, to look after him at her home while he was at work. Ryan died after being held against a radiator and burnt, placed in a cold bath and then put to bed.

A spokesman for Hampshire social services said a review had found no single agency or individual was to blame, but there had been shortcomings in social service and health service communications and procedures. Its recommendations were now being considered.



Ryan Crossett, whose death was "a merciful release"

## Neighbour tells of girl's terror

BY A STAFF REPORTER

THE 12-year-old daughter of a wealthy couple who left their children in squalor while they entertained dinner guests, a court was told yesterday.

The girl and her six brothers and sisters were dressed in ragged, urine-soaked clothes while their mother and stepfather drove a BMW and ate and dressed well. Bristol Crown Court was told.

The couple, who cannot be named, are jointly charged with ten counts of cruelty over an 11-year period. The 34-year-old stepfather of the girl, referred to as Miss X, also faces two charges of rape and two of indecent assault against her. They deny all the charges.

A neighbour at Malmesbury, Wiltshire, said she never saw the girl do anything but housework. "I saw her do the washing and the Hoovering. I saw her clear up the bedrooms, clear up the front room and the stairs — things I would do in the home. I was over there one evening around 11.15 and 11.30pm and she was still doing housework."

"Little Miss X used to break down to me. She was old before her time. She had the

world on her shoulders while other 12-year-olds were starting make-up and fashion. She was very low and depressed."

The child, who had no room of her own and had to sleep on a sofa, was "absolutely terrified" of her stepfather.

The neighbour said that she once had to make a meal for the seven children out of one tin of beans and sausages from the freezer.

A nanny who looked after three girls and two boys for the couple described her 12 weeks at their home as "complete hell". She said: "The house was in a horrible state. It absolutely stank upstairs."

While the children went hungry, their parents brought home large Indian takeaways and gave the leftovers to the youngsters for their breakfast, the nanny said.

"The food was scarce. To try and get a meal together for the five children and myself was very difficult. There was an abundance of milk, crackers and dried potato. I had to make some meals with these. My parents came to visit me every Wednesday and I told them to bring food."

The case continues.

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\*Source: Hindsight, UK Growth & Income Sector and Gilt and Fixed Interest Sector. Figures calculated on a monthly basis from launch to 30.9.96, on an offer to bid price basis with net income reinvested.

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## Killer that can take 60 years to strike

BY VALERIE ELLIOTT  
WHITEHALL EDITOR

DEATHS from asbestos-related disease are likely to go on rising for up to 25 years, the Health and Safety Commission said yesterday. The increase is blamed on the exposure of workers many years ago when conditions were less strictly controlled.

Frank Davies, chairman of the commission, said: "The rates in younger people, who have had less exposure, are falling, but we are still very concerned about the potential exposure of contractors and others to asbestos already in buildings."

About 1,200 people a year die from a form of cancer known as mesothelioma, and most cases are probably caused by asbestos. Men who started work in the 1950s and 1960s are identified as most likely to die from this cancer, according to the commission's annual report yesterday.

Controls on asbestos were introduced in 1969, and its use was considerably reduced in the mid-70s, but the number of deaths could rise to a peak of 3,300 a year because there is a delay of 15 to 60 years between exposure and death.

Since 1980 there have been three times as many disability benefit claims for asbestosis and 427 new cases were reported last year. Most have been men who worked in ports or dockyards — asbestos was used in ship insulation — and this is reflected in the number of deaths in shipping areas.

There have also been a high number of deaths in areas associated with railway engineering, where asbestos was used to insulate carriages. Far fewer women die from asbestos-related diseases. Female victims usually worked in the manufacture of gas masks or in asbestos textile industries. **Health and Safety Annual Report 1995-96**, £16, and **Health and Safety Statistics 1995-96**, £13.50 (HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS)

## Scheme to save mills backed by Prince

BY MARCUS BINNEY

THE Prince of Wales is backing a multimillion-pound initiative to breathe life into empty Yorkshire and Lancashire textile mills and canal-side warehouses. The scheme, Regeneration through Heritage, will be launched today by Business in the Community, which represents the top 400 British companies.

Fred Taggart, the director of the initiative, said: "We're not just inviting the private sector to write us a cheque, but to get involved in creating and sustaining jobs. We will be developing projects jointly with English Heritage, English partnerships and other employment initiatives."

One scheme aims to convert the vast Centenary Mill in Preston into a centre for fashion excellence for the local — mainly Asian — denim industry. The scheme includes a "virtual-reality catwalk" enabling foreign buyers to buy from computer screens. Mr Taggart said: "We hope to secure 3,000 jobs from foreign competition and generate many more."

In Wakefield, west Yorkshire, the Prince is backing a proposal to convert the long disused 18th-century navigation warehouse beside the canal into flats, workshops and restaurants. At Sowerby Bridge, a warehouse is to be restored as the headquarters for the local sea scouts with workshop units above.

The initiative is being launched at Salford, the model town laid out by Sir Titus Salt. Jonathan Silver, who has restored the mill there, said: "When we began we had nearly a million square feet of decaying industrial space. Now it's all restored and occupied without a penny of grant. The key is to find the sandwich of art, industry and retailing. We have three storeys of art gallery devoted to David Hockney, as well as Pace microtechnology, who make the decoders for satellite television and employ 1,000."

## What Queen thought of suffragette martyr

BY JOHN SHAW

A TELEGRAM from Queen Alexandra to the jockey who was injured when a suffragette died as she ran in front of the King's horse during the 1913 Derby is being sold in London next month.

It reads: "Queen Alexandra was very sorry indeed to read of your sad accident caused through the abominable conduct of a brutal lunatic woman." Emily Davison's death, a turning point in the campaign for women's suffrage, is preserved in a flickering piece of newsreel film that has become part of racing history.

Herbert Jones, the royal jockey, was badly hurt in the collision but recovered to ride many other winners for royal owners and the 1919 Derby on Minors. The telegram is expected to fetch about £700 at Sotheby's on November 13. Although Davison's action is now seen as a dramatic

demonstration on behalf of the cause of votes for women, Jones claimed that her dramatic gesture was accidental, rather than deliberate. He maintained that she mistakenly thought the field had cleared Tattenham Corner, the apex of which obscured the stragglers, including his horse, Anmer.

In later years the jockey was said to have been haunted by the "look of horror" on Davison's face seconds before the accident. The Queen's telegram is part of a collection of memorabilia being sold by the Jones family in an auction devoted to racing.

It will go under the hammer with an album of press cuttings filled with articles about the incident from newspapers all over the world. The memorabilia assembled cuttings offer a record of the day's racing and contemporary reaction to Davison's gesture.



مكثا من الأصل

ghbour tells  
girl's terror

## Shepherd puts team of assessors into strike-threat school

By DAVID CHARTER AND PAUL WILKINSON

THE Government will ask the Chief Inspector of Schools today to send an emergency team of assessors into the west Yorkshire school where teachers are threatening to strike unless 61 "unteachable" pupils are expelled.

Gillian Shepherd, the Education and Employment Secretary, is believed to be concerned that parents would not send their children back to The Ridings School in Halifax after half-term this week unless calm swift action was taken to calm their fears. She wants inspectors to report back as early as next week and is not prepared to wait for a local authority visit planned for December.

Staff in the National Association of Schoolmasters and Union of Women Teachers were casting their strike votes yesterday, but the result is not expected until next week. They claim the 61 children are out of control and that the management is in crisis after the resignation two weeks ago of the head teacher.

However, the Rev Stanley Brown, the chairman of governors, urged the 38 teachers in a letter to think very carefully before voting in favour of industrial action. The teachers called the strike ballot last week after three incidents in which pupils assaulted staff.

Yesterday Mr Brown said the attitude of the union,

which represents all but four of the Ridings teaching staff, was very disappointing. "A package of measures was introduced to support the school from the start of this term," he said.

"We have been working recently to provide additional facilities to allow genuinely disruptive pupils to be withdrawn from the classroom and taught in more appropriate ways." He said that he hoped the appointment of a new head teacher would bring "a fresh start". The present head teacher, Karen Stansfield, has blamed exhaustion for her decision to leave.

Mr Brown added: "There are hundreds of sensible and

contented pupils. There are unfortunately a small number of disturbed and disruptive children."

But Brian Garvey, the union's Yorkshire representative on its national executive committee, said: "This so-called package of measures they say they introduced this term amounts to nothing more than a series of meetings to discuss the problems. We are now beyond that."

The governors will meet in emergency session on Tuesday, when the results of the ballot are known. The teachers are expected to come down strongly in favour of a strike.

The mother of a Ridings pupil said yesterday that she would not let her 13-year-old son return to school because he had been teased about his dyslexia and beaten. Julie Whitley said Kieron would only go back when the school got rid of bullies.

She said: "Some of the teachers are frightened of the pupils and there are not enough teachers to handle the children, but I blame the parents as well."

Jacqueline Taylor, whose daughter Sarah, 13, was expelled for pushing a teacher and then re-instated on appeal, attacked the teachers' strike threat. "The children are not that bad at the school and it is their job to teach. Who are they to strike?"

### Sacking to be investigated

The Charity Commission is to question the governors of a public school which ordered its headmaster to quit. It decided to step in after hundreds of parents complained when it was announced that Peter Wilkes, head of Cheltenham College, was to leave next August. Mr Wilkes, 54, was sacked after the college slumped in the A-level league tables from 147th in 1995 to 205th this year.

## Policewomen 'are promoted unfairly'

By DAMIAN WHITWORTH

A POLICE officer claimed yesterday that he had been passed over for promotion in favour of female colleagues with less experience. Inspector Graham Seal said that he was among several male officers in the Essex force who were the victims of sex discrimination.

Mr Seal told an industrial tribunal that he encountered the bias when he was trying to climb the ladder from sergeant to inspector, and the experience, in 1994, led him to launch his own investigation. "There was a lack of consistency," said Mr Seal, who eventually secured promotion this year. He said that he respected his female colleagues, but added: "The age and length of service and credibility and experience is not assessed the same as [for] a male candidate."

He said that his investigations found that in 1994 a total of 189 male officers qualified to apply for promotion but only

11 were successful. Yet three female officers clinched promotion when only nine were qualified to apply.

That year, after 19 years with the police force, eight of them as a sergeant and with "extensive" experience as an acting inspector, Mr Seal went before the interview boards and failed to gain promotion. He said he had been "very upset" but got over his disappointment until he heard about the case of a female colleague, identified as Sergeant A.

He said three male officers were not given interviews despite recommendation, yet a senior officer with no experience of working with Sergeant A made a personal representation and sat on the board that promoted her. He formally submitted a grievance in January 1995 despite, he said, the stress it caused him because of his loyalty to the constabulary. The tribunal continues.

## Crown bows to the law on tenants

By OLIVER AUGUST

A CROWN tenant claimed a landmark ruling yesterday in a test case which could allow the leaseholders of some of Britain's grandest residences to seek fair rents before an independent body.

Helen Bryan, an American lawyer, went to the Leasehold Valuation Tribunal to clarify the statutory rights of the residents of the Nash villas around Regent's Park.

The tribunal decided that it would have powers to adjudicate only if Mrs Bryan was seeking a different form of lease, because of ambiguities in the Housing Acts. The limited ruling establishes the possibility of challenging the Crown under certain conditions. The Crown was also forced to agree in principle to the tribunal's jurisdiction.

Mrs Bryan said: "This is a small triumph. The next step is probably an appeal to the Lands Tribunal."



Fiona Thake outside York College for Girls yesterday. She says the move to shut the school threatens her A levels

## Head girl to fight closure in court

By DAVID CHARTER  
EDUCATION CORRESPONDENT

THE head girl of a school facing sudden closure warned governors yesterday that she would fight their decision in the European Court of Human Rights. Fiona Thake, 17, said the move by the Church Schools Company to shut York College for Girls would severely disrupt the final year of her A levels.

Parents gathered at the school near York Minster yesterday and said they would apply for an injunction if the company did not change its decision by noon tomorrow.

Miss Thake said: "My future could be ruined. My dream is to be a doctor and my A-level exams are crucial. This

decision jeopardises my results and could affect my career."

The company, which is chaired by Lady Prior, wife of the former Conservative minister Jim Prior, said closure was inevitable because pupil numbers were declining. Parents say the company told them it would spend £100,000 a year on the school for three years when it took over in 1994, saving it from a merger with The Mount School, another all-girls school in the city.

Miss Thake said that, by closing the school, whose motto is *Not For Ourselves Alone*, in the middle of the year, the company was breaching an agreed contract to educate the pupils until at least July 1997.

The number of girls' schools has been

falling steadily in recent years through closures and mergers. The Independent Schools Information Service said there were 386 girls' schools in 1994, compared to 455 in 1985.

Fiona's father, Phillip, an accountant, said: "My daughter has a right to a proper education and the CSC has committed itself, as I committed myself by paying her fees, to provide that education. What they have done is unlawful and I intend to sue."

The company has offered places to pupils at Lincoln Minster School, more than 80 miles away, and at Hull High School, 40 miles away. It has also offered to pay a grant to cover costs of new school uniforms and to transfer bursaries and scholarships.

SATURDAY  
IN THE TIMES

directory



THE DIRECTORY

In our new weekend guide: the low-fat cookery course, books, entertainment and 7 days of TV and radio

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COUNTRYSIDE CAMPAIGN

Paul Heiney's country life column, in Weekend

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## 8 HOME NEWS

'It's tragic, but what's the good of whining? The fact is I've run out of money,' says Prince's neighbour

# Shrinking fortune forces owner to sell ancient estate

BY RICHARD DUCE

THE owner of a country estate adjoining the Prince of Wales's home at Highgrove spoke yesterday of his anguish at having to sell the land, which has been in his family for almost 700 years.

For 28 generations Desmond Estcourt's family has run Estcourt Park, near Tetbury, Gloucestershire, featured in the BBC series *Pride and Prejudice*. It is now on the market for more than £5 million. Mr Estcourt, 78 yesterday, has no heirs and the mounting costs of maintaining the estate, which is run by a trust, have led to the sale.

He is leaving 1,400 acres of land first occupied by his ancestors in 1303 for somewhere more modest: "I am moving to a flat in Lymington, Hampshire. In a few weeks with my cat, Amber. We are



Desmond Estcourt: will move to flat with his cat

very good friends and I am devoted to her."

For many years Mr Estcourt has lived in the five-bedroom dower house; the main Georgian manor house was demolished in 1964. Whoever buys the estate will have to budget for a further £1 mil-

lion or more to build a replacement.

Mr Estcourt said: "It is tragic for me, but what is the good of whining? We all have our trials. I am hating all this. It is not my plan to go — my family has been here 700 years and it goes against all my instincts. But nobody is to blame. The fact is I have run out of money."

The Estcourt family at one stage owned 70,000 acres of Gloucestershire and Wiltshire. Mr Estcourt inherited the estate from his father, Thomas, in 1961. His brother, Giles, a Spitfire pilot, was killed over France at the age of 21 and his sister, Diana, died of cancer five years later.

"My father left investments but they are now gone and the estate is not what it was. If he went off the deep end and sold land at whatever prices he could get, whether he was



Thomas Estcourt MP, a 19th-century ancestor, and the original Estcourt House, since demolished. The estate is being sold for £5 million-plus



wrong or right, is of no consequence. Once the land has gone, it has gone. It is never going to come back. I am very proud that the family has been here for 28 generations. How many families have done that?

I would dearly have loved to have had a son, but I never married and, at 78 I don't know if I ever shall. I knocked

down the old Estcourt House and it was very sad.

"As a wee boy the place was like a little bit of paradise for me. It was a fairyland — almost too good to be true. There was a library, billiard room, a marvellous staircase, cellars and study — the place went on and on. I am grateful to have had such a home."

His ancestors include John

Estcourt, who sided with the Lancastrians in the War of the Roses. Thomas Estcourt was knighted by James I in 1607, but the title died with Sir William Estcourt, who was

murdered at the Globe Tavern in London in 1684. Another Thomas was an MP for Exeter who died in 1818 and is credited as a pioneer of modern farming techniques. Yet

another Thomas Estcourt founded the Friendly Society.

The estate has an income of £120,000 a year from two tenanted farms. The sale also includes a Grade II listed stable block and coach house which have fallen into disrepair. The tree-lined drive featured in *Pride and Prejudice*. Peter Lowndes, of the property agents Lane Fox, said

yesterday: "This is a chance to buy yourself into history. We already have potential buyers."

"I am sure the Duchy of Cornwall will be interested in looking at the estate, being a neighbour. We will be sending them a catalogue."

A spokeswoman for the Prince of Wales said that the duchy would view a brochure with interest.

## Architect's dream house rejected as a 'Mockintosh'

BY SHIRLEY ENGLISH

A VISIONARY "dream house" built from 95-year-old sketches by the architect Charles Rennie Mackintosh has been dismissed as a "Mockintosh" by purists.

It has taken seven years and £4 million to translate Mackintosh's 1901 drawings for *House For An Art Lover* to reality in Glasgow's Bellahouston Park. It opens to the public this weekend.

Andy MacMillan, an architect, has worked alongside Graham Roxburgh, an engineer, to bring the project to fruition. The house is meant to be a lasting tribute to the Glasgow-born Mackintosh, who was spurred by his home city during his life and died in poverty 70 years ago.

Some experts have questioned whether it should have been built while a number of genuine Mackintosh buildings are empty and semi-deserted in the city centre. Neil Baxter, an architectural historian, said: "I admire both MacMillan and Roxburgh, but this is just high-quality 'Mockintosh' and a slightly artificial exercise. It is a fake and can be seen as a com-

mendable undertaking only if it is made clear that this house is a contemporary interpretation and is not an original work by Mackintosh himself."

The house has been built from sketches which Mackintosh and his wife, Margaret, completed hurriedly in 1901 to enter a German competition. As a result, large chunks of the interiors were missing, including the main staircase and most of the main hall.

MacMillan, an acknowledged Mackintosh expert, said he used "collage" to fill in the gaps, taking details from other Mackintosh buildings where there was no information in the drawings. The main staircase is based on the stair at the Glasgow School of Art.

The top floor, designed by Mackintosh as offices, is studio space for the School of Art. The ground floor, where the architect gave no clues, houses a cafe, shop and exhibition gallery. The main floor, comprising the entrance hall, music room, dining room and oval room, is from the drawings.



House For An Art Lover is a fake, claims one critic

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# Appeal judges cut three generous injury awards

By FRANCES GIBB, LEGAL CORRESPONDENT

THREE huge damages awards for personal injuries were cut by up to a third yesterday when the Court of Appeal ruled against a more generous approach to compensation.

A £1,619,000 award to Thelma Wells, 60, a car crash victim, was reduced by £532,000. James Thomas, 7, who suffered cerebral palsy at birth because of a hospital error, had his award of £1,285,000 against Brighton Health Authority cut by about £300,000.

A steelworker's damages of £906,000, won by Kelvin Page against Sheerness Steel for brain damage after he was speared by a red-hot metal bar, was decreased by £280,000. The reductions, which followed appeals by defence insurers, will affect scores of damages cases in the pipeline.

The High Court judges who made the original awards had fixed them higher than normal after accepting evidence that the only safe way to invest the money was in low-risk, index-linked government securities, which earn 3 per cent a year. The usual expectation is a 4.5 per cent return from equities and gilts. The setting of higher awards has been recommended by a working party and adopted in a Law Commission report, but not yet made law.

Yesterday the appeal judges, Lords Justices Hirst, Auld and Thorpe, ruled that the old guidelines should still be followed and it was not for the courts to anticipate a new practice. Lawyers for the three victims are to seek leave to appeal to the House of Lords.

The appeal court decision was attacked by Sir Michael Ogden, QC, who chaired the working party that recommended the Law Commission proposals. "I think this [decision] is wrong," he said. "I hope it goes to the Lords and is overturned. What it means is

that widows, or other relatives of accident victims who know perhaps little about finance, have to speculate on the Stock Exchange to try to maintain the value of their awards, with all the uncertainty that entails."

He said that it was a "great misfortune that the Lord Chancellor had not implemented the Law Commission proposals in full. He accepted

## Widows or other relatives of accident victims who know little about finance will have to speculate on the Stock Exchange

these proposals, that the award should be calculated on the basis of index-linked stock. And then, when the Damages Act 1996 was brought in, he went back on what he said he was going to do."

Since the Act, Lord Macdary of Clashfern, the Lord Chancellor, has said that he would await yesterday's ruling and may reconsider how awards should be calculated.

Yesterday Mr Page's solicitor, Paul Kitson, said: "The judgment means plaintiffs will have to continue to gamble their awards on the stock market in order to ensure a sufficient income for the rest of their lives."

The original award to Mr Page reflected the seriousness of his injuries and his substantial care costs. The rejection by the Court of Appeal of the trial judge's more generous approach is a blow, not only to Mr Page, but to victims of accidents in the future."

James Thomas's legal team said the decision would have serious consequences for him and his family. The damages for the negligent treatment which injured him would now be insufficient to guarantee the level of care that had been planned.

Described as a bright little boy with a full understanding of his severe disabilities, James had an almost normal life expectancy and required a substantial sum to meet his needs as his parents grew older.

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Law Report, page 36



Kelvin Page, whose award was cut by £280,000, at the High Court yesterday

## Man who killed for dress rings gets life

A man who murdered a 78-year-old widow for her costume jewellery has been sentenced to life. Barrie Compton, 53, of no fixed address, was found guilty of murdering Jean Windridge of Chelmsley Wood, Birmingham, by Birmingham Crown Court. Richard Harze, 32, also of Chelmsley Wood, was jailed for three years for handling the rings, which he sold for £35, and for perverting the course of justice relating to the disposal of Compton's clothes and the murder weapon.

## Sentence cut

A Briton jailed in Morocco on drug charges has had his sentence cut from five years to four on appeal. David Richards, 37, of Alnwick, Northumberland, was arrested with his wife, Jill, 40, while on holiday with their daughter, 8, Mrs Richards was acquitted.

## Priest charged

Father Gerard McCallion, 48, a Roman Catholic priest serving a two-year sentence for indecently assaulting young girls, has appeared at Londonderry Magistrates' Court charged with the rape and indecent assault of a woman in 1987. He pleaded not guilty.

## Boy shot in eye

Kenneth Bones, 12, of Exeter, was shot in the eye with an air rifle, which a group of youths were firing on waste ground in the Beacon Heath district. A 13-year-old was arrested, but later released without charge. Doctors are trying to save Kenneth's sight.

## Kwik Save fined

Kwik Save has been ordered to pay more than £7,000 in fines and costs by Coleford magistrates for selling sausage and onion pies, quiches and pasta that were up to three days past their sell-by date at a store in the Gloucestershire town.

## BBC sales record

BBC Worldwide believes it has broken its previous record of £154 million sales at the Mipcom fair in Cannes. SIC wants to make a Portuguese version of Yes, Minister and the new Swedish channel Guldkanalen has bought 100 episodes of EastEnders.

## Wendy house ban

A Wendy house planned for Langley Manor School, Slough, Berkshire, has been rejected by South Buckinghamshire County Council because the 6ft playhouse would be a new building in a green belt. Parents raised £10,000 for the play area.

## Giant waves linked to global warming

By NICK NUTTALL

SCIENTISTS have found that waves in the South Atlantic have shrunk, while those in the northeast of the ocean have doubled in size. The phenomenon may be a further indication of global warming.

New satellite readings show that, in the western Mediterranean and the central South Atlantic, average wave heights are half a metre smaller than in the mid-1980s. But from the tip of the Iberian peninsula, past Britain and north to Greenland, Atlantic waves are almost twice their size of 40 years ago.

Dr Peter Challenor, of Southampton Oceanography Centre, said yesterday: "No one can explain why these changes in the wave climate are happening, but we now have conclusive evidence that they are occurring on a global scale. It is possible they are an indicator of global warming."

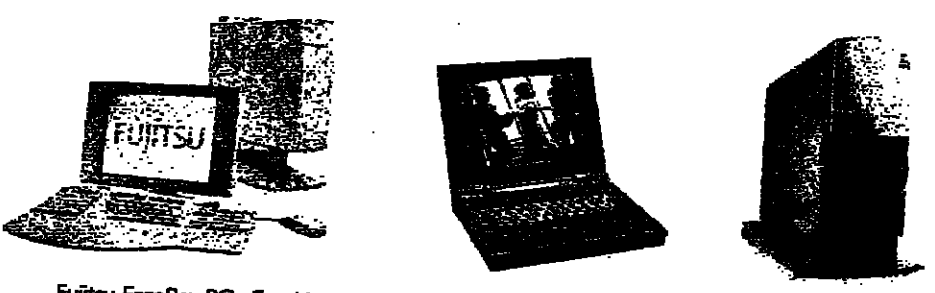
He said there were reports of the bigger waves causing more damage to ships, including the Royal Yacht Britannia and the Queen Elizabeth 2. Oil and gas rigs might soon need strengthening. Fish scientists at Lowestoft had pinpointed a link between marine food and wave heights, which may affect fish stocks, he said.

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# Mother challenges the IRA over death threats to her son

**BY NICHOLAS WATT**  
**CHIEF IRELAND**  
**CORRESPONDENT**

**A death threat to Paul Kennedy was written on this wall. His mother painted it over.**

ned by a drug dealer" on a nearby wall. Mrs. Kennedy painted over the message.

She said that her family's life had become a "living hell." In 1992, her son survived after being shot four times in a loyalist gun attack on a bookmaker's shop near their home. He lost his best friend, James Kennedy, and Mrs. Kennedy lost her brother, Billy McManus.

After the shooting, in which

Nancy Gracey, of the campaign group Outcry, which highlighted the Kennedys' plight, paid tribute to the mother's bravery in speaking out. She said: "The IRA seems to be using this drugs label quite freely to try and justify murdering people. It is time that people followed Mrs Kennedy's example and spoke out against this. If we sit back and take this, there will be more deaths, there will be more coffins."



**Mrs Kennedy installed a security gate after attacks**

BY SHIRLEY ENGLISH

on Bain's invention.

□ A painting attributed to one of Ireland's best-loved artists may have been the work of an obscure painter from Sheffield. *The Goose Girl* went on display in the National Gallery of Ireland yesterday as part of a retrospective of William John Leech, a Dublin-born man who spent most of his life in England. However, after research, Raymond Keaveney, director of the National Gallery, is now '90 per cent sure that the painting is by Stanley Royal. The canvas has a Sheffield stamp on it.



## Bain: genius inventor, homeless businessman

**By A STAFF REPORTER**

HUNDREDS of bodies, some of them plague victims, are to be exhumed from a paupers' burial ground in Newcastle upon Tyne which is now the site of a city-centre development called the International Centre for Life.

Many died of highly infectious diseases such as smallpox or tuberculosis and special measures are being taken to protect the teams involved from any health risks. Everybody entering the site is being inoculated and issued with protective clothing.

Records show that at least 270 people were buried on the site, but experts believe they could eventually find three times that number. The burial ground covers about one acre west of Newcastle Central Station, where the Tyne and Wear Development Corporation is planning a millennium project costing £54 million. It will combine a science centre with a Disney-style attraction expected to bring in 300,000 visitors a year.

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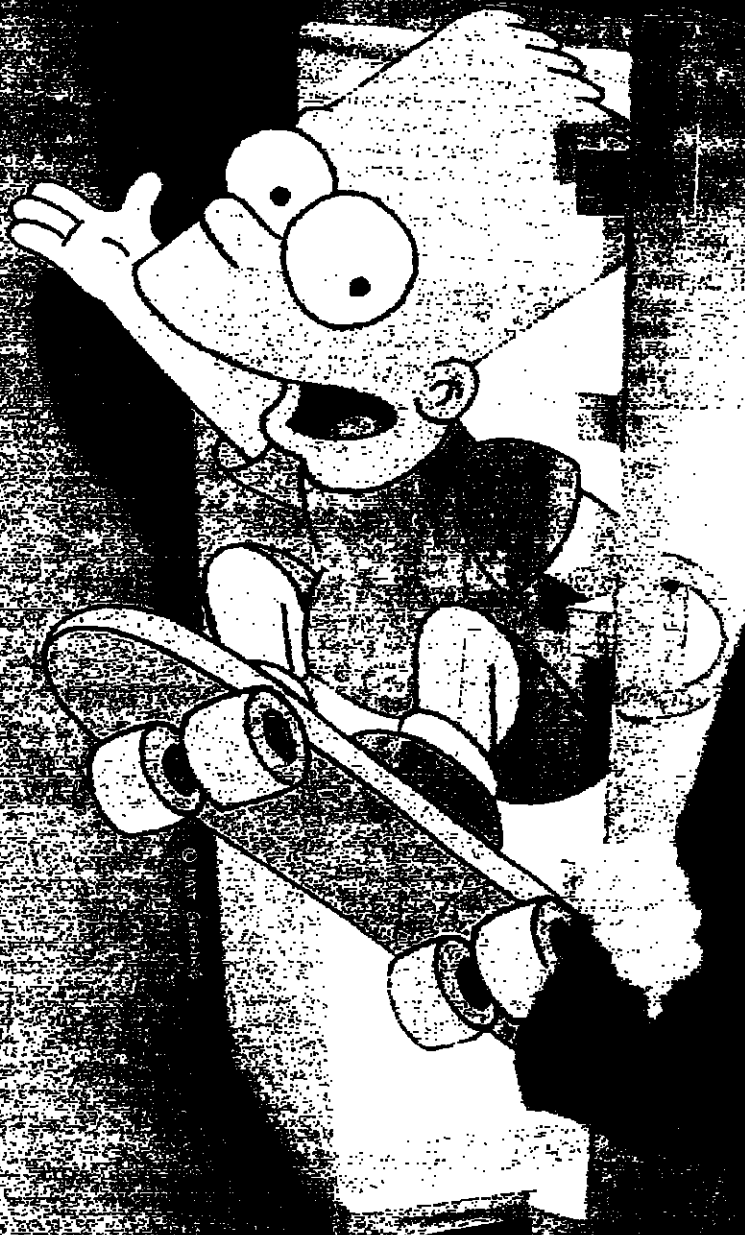


Inventor of whisky measurer is lost to France

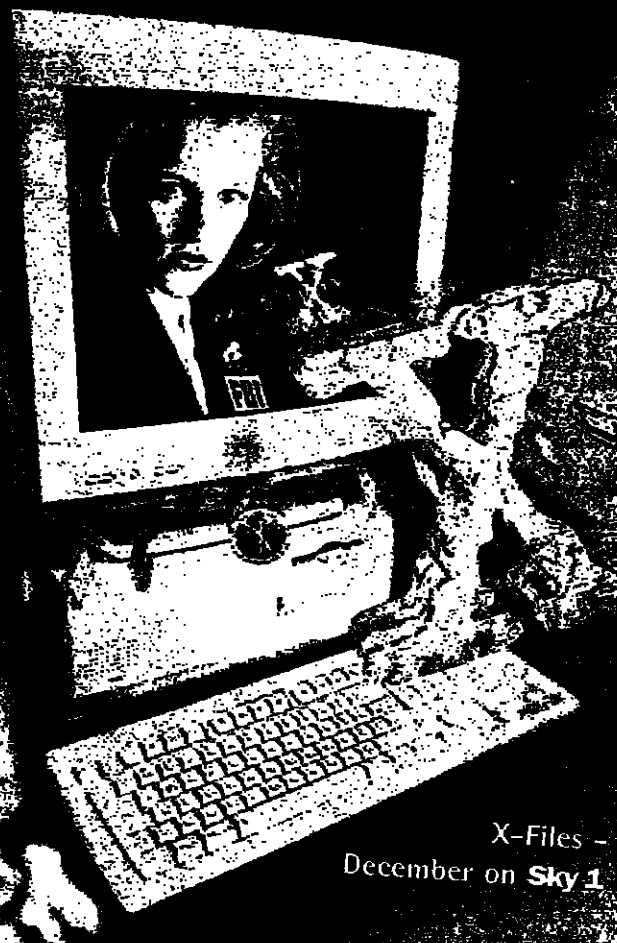
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## 12 QUEEN'S SPEECH

'Everybody knows we should not be debating, we should be having a general election'

# Blair sets out his alternative to 'pathetic' proposals

By Alice Thomson  
and Jill Sherman

TONY BLAIR laid out his alternative Queen's Speech yesterday, providing MPs with a list of Bills that he would have announced had he been Prime Minister.

The Labour Leader said his Queen's Speech would have focused on education, the NHS and rebuilding "our fractured society". He said that the sole purpose of John Major's plans for the next session was to embarrass Labour, adding: "How pathetic."

As Mr Blair opened the five-day debate on the Queen's Speech, he told MPs he would be proud of the day that he saw a Prime Minister come to the dispatch box and say there would be a Bill that ended the "chaos" of the voucher scheme and provided for proper nursery education for all four-year-olds.

"I would like a Bill that phases out subsidies to private schools and uses the money to cut class sizes for all five, six and seven year-olds," he said. "And a Bill that reforms the way that our school system works, the training of teachers, new standards for school performance, tackles truancy and discipline, that allows schools to take account of children's different abilities but does not return us to the inequities of the old 11-plus."

He also wanted a Health Bill that would end the Tory internal market in the NHS and return it to "its rightful place as a proper public service".

Mr Blair went on to demand Bills banning the sale of combat knives and halving the time taken by persistent young offenders to come to court. "You could have a Bill for a statutory minimum wage to tackle the worst abuses of poverty pay. A Bill that allows the capital receipts tied up in council accounts to be used to build homes for the homeless. "We could have a Bill that allows the people of Scotland and Wales the chance to

## FULL LIST OF NEW LAWS

- ☐ Crime sentences Bill, to introduce minimum sentences for repeat burglars and drug dealers
- ☐ Firearms Bill, to ban all handguns above .22 calibre
- ☐ Education Bill, providing powers to deal with disruptive pupils and to extend selection
- ☐ Police Bill, to set up a national crime squad
- ☐ Primary healthcare Bill, to allow doctors' surgeries in supermarkets
- ☐ Social security fraud Bill, to allow cross-checking of benefit claims
- ☐ Northern Ireland decommissioning of weapons Bill
- ☐ Civil procedure Bill, to reform system of resolving civil disputes
- ☐ Merchant Shipping and Maritime Security Bill, to protect the coastline
- ☐ Local government and rating Bill, providing aid for village shops
- ☐ Transfer of crofting estates (Scotland) Bill
- ☐ Crime and punishment (Scotland) Bill, to introduce tagging and obligatory life sentences
- ☐ Channel Tunnel rail link Bill (Remaining Stages)
- ☐ Stalking Bill
- ☐ Register of sex offenders Bill

The Government also hopes to introduce the following:

- ☐ National heritage Bill, to allow lottery funding for heritage projects
- ☐ Compensation recovery Bill, to ensure that accident victims keep all damages awarded to them
- ☐ Commonhold Bill, setting up a new form of flat ownership

determine their own governance. A Bill that gives London its own government to allow it to invigorate and innovate itself."

The Government's only policy now was to drift. "I think everybody knows we should not be debating a Queen's Speech today, we should be having a general election."

Mr Major was using the "brazen old Tory trick" of pretending that although the party had been in power for 17 years it had no responsibility for the state Britain was in. He asked: "Who doubled crime to give us over 17 years the fastest growing crime rate in Europe? They did. Who undermined the NHS and smothered it with red tape — they did. Who made the economic mistakes

of the late 1980s and early 90s — they did. If our society is torn and fractured as it is, I ask who in part fractured it? They did."

He added: "We will mend this fractured society when those that fractured it, those that said that there was no such thing as society are no longer governing our society. This isn't a battle for a job, it should be a battle about a vision of this country's future."

The Prime Minister rejected Mr Blair's claims that he was putting forward a "thin and largely irrelevant" programme of legislation ahead of the general election. Outlining his proposed measures, Mr Major said: "By any yardstick, that is a meaty Queen's Speech that we intend to carry through in the period between now and the election."

He said his proposals would build on economic success, help widen opportunity and choice and encourage personal responsibility. He promised the Commons a prudent Budget next month, saying: "If we can safely cut taxes, we will. If we cannot, we will not."

He denounced Mr Blair's "sanctimonious" response to the legislative programme. "I don't know how you can disclaim responsibility for faults in society today when your own Labour Party has consistently championed every fashionable, politically correct cause that has undermined our traditional way of life and opposed every measure we have taken to redress the balance."

Paddy Ashdown called the speech as "a rag bag of irrelevant measures from a Government in its tormented twilight days". The Liberal Democrat leader said the legislative programme was more driven by what will wrong-foot the Opposition than what was right for the country. "No direction. No new ideas. No leadership. Nothing to meet the real needs of the country."

Leading article, page 21



Light duties: the Queen arriving yesterday in the diamond diadem she often uses for travelling. She chose it because of its light weight, Buckingham Palace said. But less comfortably, she braved the warm weather in a white fox cape

## 'My Government will work towards a liberal, flexible, European Union'

This is an edited text of the Queen's speech to Parliament yesterday.

### THE QUEEN

Preventing the proliferation of weapons of mass destruction remains a priority. Early provision will be made for the ratification of the Comprehensive Test Ban Treaty. My Government will pursue negotiations on a convention to ban the production of fissile material for nuclear weapons and other explosive purposes.

In the European Union, my Government will work for an outcome to the inter-governmental conference which supports an outward-looking, economically liberal and flexible union based on a partnership of nations. They will promote policies to improve the union's competitiveness and economic wellbeing.

My Government will promote the further global liberalisation of trade, in particular at the ministerial meeting of the World Trade Organisation, and will continue to work for transatlantic free trade in this context.

My Government will continue actively to support peace in Bosnia and Herzegovina, encouraging full compliance with the Peace Agreement and promoting reconciliation between the former warring parties. Support will continue for the search for a durable peace in the Middle East. My Government will continue to work for a successful transfer of sovereignty of Hong Kong in 1997. They will work on behalf of its people to preserve their way of life and to promote the territory's continued stability and prosperity, founded on a high degree of autonomy and the rule of law.

In Northern Ireland, my Government's priority will be to maintain progress towards peace, prosperity and reconciliation, based on a comprehensive political settlement commanding widespread support. They stand ready to introduce legislation to provide for the decommissioning of firearms, ammunition and explosives. They will maintain close and friendly relations with the Republic of Ireland.

Fiscal policy will continue to be set to bring the public sector borrowing requirement back towards balance over the medium term. My Government will reduce further the share of national income taken by the public sector. They will continue to promote enterprise and further improve

the performance of the economy with the aim of creating the strongest industrial economy in Western Europe in the medium term and doubling living standards over the next 25 years. They will promote fewer, better and simpler regulations to reduce unnecessary burdens on business.

My Government will continue to support competitiveness through advancing knowledge, improving educational and skill levels and promoting a flexible, efficient labour market. Legislation will be introduced to widen choice and diversity, improve discipline and raise standards in schools.

A Bill will be introduced to reform the sentencing and supervision of serious, dangerous and persistent offenders so as to provide greater protection for the public. Legislation will be introduced to support the fight against organised crime, including establishing a National Crime Squad. A Bill will be introduced to strengthen controls on the ownership of fire arms.

Legislation will be introduced to improve and develop primary healthcare services. A Bill will be brought forward to combat social security fraud.

Legislation will be introduced to implement proposals contained in the English and Welsh Rural White Papers in relation to parish and community councils and to provide rate relief for small village shops.

In Scotland, legislation will be introduced to abolish automatic early release from prison and to make other changes in the criminal justice system to improve public protection.

A Bill will be brought forward to enable the transfer of publicly-ownedcrofting estates tocrofting trusts.

My Government will introduce legislation to enable reform of the procedures of the civil courts, and other measures of law reform. My Government will also publish Bills in draft for consultation on the introduction of voluntary identity cards and on measures to help people make better provision for their long-term care needs in old age.

My Lords and members of the House of Commons, I pray that the blessing of Almighty God may rest upon your counsels.

## Supermarket GP plan attacked as bad for patients

By Dominic Kennedy  
Social Affairs Correspondent

OPPOSITION parties yesterday attacked the Government's proposals to allow GPs to run their surgeries in supermarkets, shopping malls and airports.

Chris Smith, Shadow Health Secretary, said that allowing private commercial companies to provide GP services "tears at the roots of the public service ethos". The relationship between the GP and patient would be fundamentally undermined if GPs were employed and their services provided by companies ranging from pharmaceutical manufacturers to supermarkets.

Simon Hughes, Liberal Democrat health spokesman, raised similar concerns. "There is no guarantee that the new types of primary care will be free from commercial self-interest acting against the interests of the patient. There is no guarantee that profits will not be made at patients' expense."

However, the British Medical Association said the reforms would help adventurous GPs with new ideas. Under the plan GPs will be able to run National Health Service surgeries in supermar-

kets, shopping malls, airports and rail stations.

An NHS Bill to improve and develop primary care will liberate general practitioners from some of the regulations that prevent them from expanding their services.

They will be able to compete with private health companies, who are trying to import the American "doc-in-a-shop" concept to Britain.

A fee-paying surgery has already opened at Victoria Station in London, appealing to commuters who want GP-style care but cannot take the day off work to consult a doctor at home in the suburbs.

At present every GP has an individual employment contract with a health authority. The Bill will allow outside organisations, including private companies and supermarkets, to employ GPs.

Patients would still be on a named doctor's list and the service would be provided by the NHS but the responsibility for running it would rest with the employer, under a contract with the health authority.

The reforms will allow GPs running thriving surgeries to expand by hiring other doctors, nurses and staff to perform specific tasks.

## Stately home owners to get cash grants

By Alice Thomson  
Political Reporter

THE Government plans to free up National Lottery funds to pay for a wide range of heritage projects, including grants to private property owners of stately homes.

A Bill will make funds available to hard-up owners of historic homes as well as heritage sites such as piers, theatres and museums. The proposals were welcomed by heritage groups.

The National Heritage Memorial Fund will now have far greater scope. It was created in 1980 to provide money to buy

land, buildings, works of art and other objects of outstanding importance to the national heritage, as well as better facilities for their display.

Ministers yesterday denied that they would be stealing from the poor to pay for the houses of the rich. Owners will have to be means-tested before they get any help with the up-keep of their buildings. Owners of listed cottages will also be eligible for help.

Owners will have to prove their property is of benefit to the public.

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## Dole's chances melting away in the Florida heat

FROM MARTIN FLETCHER IN MIAMI

BOB DOLE rushed south to shore up his crumbling support in Florida late yesterday as President Clinton sought to administer the death blow to his opponent's flailing campaign — and secure his own landslide re-election — with a two-day rampage through the Sunshine State.

Florida was supposedly the cornerstone of Mr Dole's election strategy. It has long been considered the most reliably Republican of America's mega-states, voting Republican in nine of the past 11 presidential elections. But even here Mr Clinton has moved narrowly ahead in the polls and Tom Slade, Florida's Republican chairman, admits that "nothing short of a political miracle" can now save the state Mr Dole considers his second home.

Mr Clinton's swing through Florida seemed more of a victory lap than an attempt to attract votes. On Tuesday afternoon a polyglot throng of about 8,000 waited for three hours under a baking sun to greet him at a Miami community college. "This is Clinton country," declared Lawton Chiles, Florida's Governor, to roars of approval and fervent chants of "Four More Years". That night hundreds of Florida motorists packed into Coral Gables' opulent Biltmore Hotel to applaud the President and pump a further \$2 million (£1.3 million) into his Florida campaign. Yesterday he enjoyed another rapturous reception in Daytona Beach. Supremely confident, Mr Clinton never even mentioned Mr Dole. His principal concern is no longer winning votes but ensuring they are cast. "You will decide [the

election] by how you vote. You will also decide by whether you vote," was his refrain at every stop.

Mr Clinton has been determined to win America's fourth largest state ever since 1992 when he erroneously deemed Florida beyond his reach but lost to President Bush by just 100,000 votes out of 5.3 million cast. That year he spent \$50,000 on television advertisements. This year he has spent millions, visited six times and even risked a trade war with the European Union in order to win it over.

By far the largest bloc of voters — nearly a third of the



ELECTION '96

total — are the pensioners living in Florida's countless retirement communities and in "Condo Canyon", the long strip of high-rise condominiums that lines the Atlantic coast from Miami to Bal Harbour where the Doles have their flat.

"Condo commandos" in each building ensure that the pensioners turn out in huge numbers and Mr Clinton has whipped them up with shameless demagogic advertisements claiming Mr Dole would slash Medicare, the federal health insurance programme for the

elderly. Older voters, acutely aware of their own limitations, are also the ones most deterred by Mr Dole's age.

Mr Clinton has wooed Florida's environmentalists with an ambitious programme to save the endangered Everglades, but the other powerful Florida voting bloc is Cuban-Americans who can account for up to 15 per cent of the total vote. They are normally staunch Republicans, but not this year.

Mr Clinton delighted them last spring by signing — despite furious protests from the EU, Mexico and Canada — a Bill to punish foreign companies using confiscated American property in Cuba.

The Republican Congress meanwhile has angered not only Cuban-Americans but also the legions of Latin Americans living in this multi-ethnic state by seeking to deny federal benefits to legal immigrants and make English America's official language.

"They are trying to obtain votes from people who are racist," protested Alvaro Arenchibia, a young Cuban-American at the Miami rally whose 86-year-old grandmother is being forced to take American citizenship to protect her social security.

Miami's two Cuban-American Republican congressmen have broken ranks with their party on these issues and a recent poll indicated a doubling of Mr Clinton's Cuban-American support, to 41 per cent.

Among Cuban-Americans under 50 he is actually winning. "For the first time in a generation the Cuban vote is in play," Rob Schroth, a Washington pollster, said.

## Danish veto is 'purely technical'

Copenhagen: Denmark has insisted that its threat to veto the European Union's plan to retaliate over Washington's controversial Helms-Burton anti-Cuba trade laws is purely technical and that it opposes the procedure not the principle, hinting efforts are afoot to solve the impasse (Christopher Follett writes).

"Denmark is not against the European Union taking

measures against the United States, it is just that we cannot accept the use of Article 235 [of the Treaty of Rome], Niels Helveg Petersen, the Danish Foreign Minister, said yesterday.

"I know that others are trying to find an alternative basis on which to proceed."

Article 235 is a catch-all clause that allows the EU to act in policy areas not speci-

fied elsewhere in the treaty and is viewed with suspicion by governments wary of too much authority from Brussels. The other 14 EU member states have, nevertheless, accepted the use of Article 235 in the Helms-Burton case. Denmark, however, has been made especially sensitive to issues of sovereignty by a pending court case on the issue.

## Republicans set to ditch candidate for sake of Congress

FROM BRONWEN MADDOX IN WASHINGTON

REPUBLICAN campaign chiefs are urging the party's candidates for Congress to cut their links with Bob Dole's campaign for the presidency in a last-ditch attempt to save their seats. In a dramatic new tactic, they are telling voters who are likely to back President Clinton to back Republicans in congressional races to avoid giving the Democrats overall control of Washington.

"If Clinton is re-elected, heaven forbid, the last thing the American people want is for him to have a blank cheque in the form of a liberal Democrat Congress," Haley Barbour, the Republican national chairman, said.

The new tactics have split the party strategists. Eddie Mahe, a long-standing Republican consultant, argues that the campaign should not "pull the trigger too soon" on Mr Dole, but other party insiders say that if they do not do so, the voters will beat them to it.

With Mr Clinton's lead over Mr Dole in the race for the presidency apparently unsalvageable, the electoral battle is focusing on control of the House of Representatives and Senate. The Republican admission that Mr Dole may be a liability in congressional

races comes in the wake of polls suggesting that the Democrats' chances of regaining control of the House of Representatives are rising.

According to a New York Times/CBS News survey of congressional support, 47 per cent of voters favour Democratic candidates, while 39 per cent back Republicans. The Democratic congressional lead is smaller than Mr Clinton's lead over Mr Dole, which the overnight poll for USA Today/CNN/Gallup put at 19 points. But it is large enough to suggest that Democrats could win the 18 seats necessary to retake the House, although the Senate presents a greater challenge.

Democrats are struggling to reverse the rout of 1994 when their rivals seized back both houses of Congress for the first time in 40 years. Voters were acutely disenchanted with Mr Clinton in the first two years of his presidency, but they have since found Newt Gingrich, the Speaker of the House, unpalatably radical.

Despite the Republicans' vulnerability, the Clinton campaign has been strikingly reluctant to spend time and money on supporting congressional candidates.

## Trump buys right to run Miss Universe

FROM QUENTIN LETTS IN NEW YORK

IN A meeting of like minds, the multi-millionaire New York property developer and playboy Donald Trump has paid "tens of millions of dollars" to become impresario of the Miss Universe beauty contest. It looks like a triumph for political incorrectness.

Mr Trump intends to "give the people what they want". He has indicated that he will keep the girls in their swimsuits and that under his stewardship the emphasis of the show will remain, resolutely, good looks and pneumatic vital statistics.

The rival Miss America

pageant has surrendered to complaints of sexism and these days places equal importance on "character". Contestants must give, often absurd, speeches on their "policies" and are asked to display talents such as acting, music or singing.

In the smooth palms of Mr Trump, however, Miss Universe will be a parade of slightly clad lovelies.

Details of his deal were not disclosed, but it was reported he had bought the rights not only to Miss Universe but also to Miss USA and Miss Teen USA.



The church that moved to Baldwin City, Kansas, above, from Sproston, below

## Thatcher dedicates father's chapel

FROM JAMES BONE IN NEW YORK

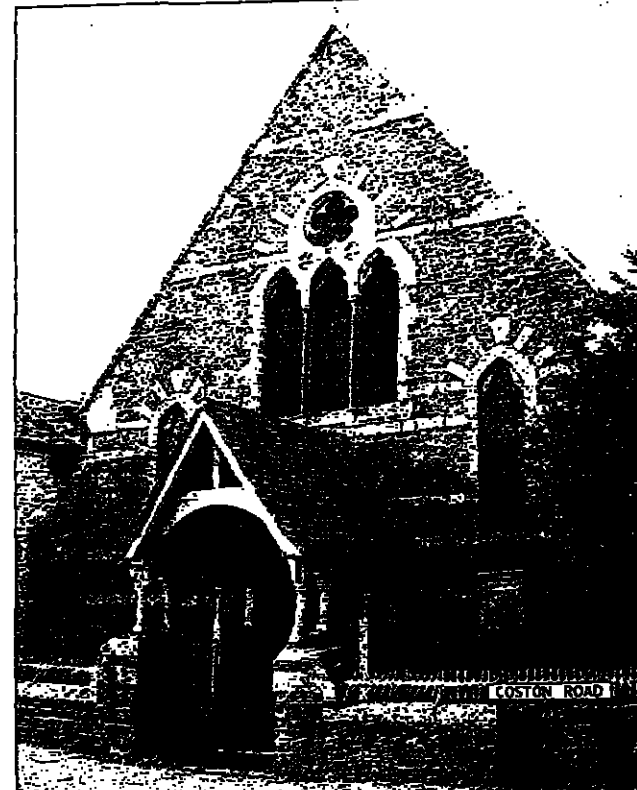
BARONESS THATCHER yesterday rededicated an old Methodist chapel, where her father once preached and which has been rebuilt in America.

The abandoned chapel was dismantled in the Leicestershire village of Sproston, near Grantham, last year and shipped across in crates after it was bought by a Methodist university in Baldwin City, Kansas. Reassembled, it now stands resplendent at the centre of the college green on the campus of Baker University.

Its tronstone walls and clay-tiled roof gleam after a clean-up operation removed more than a century of grime, and the sun squints into the simple wooden interior through its impressive stained-glass windows.

The chapel was originally built in 1864 on land donated by a local draper named John Coy in Sproston, not far from Lady Thatcher's hometown of Grantham.

Alfred Roberts, the former prime minister's father and a popular lay preacher, visited the chapel on many occasions in the 1930s and 1940s to conduct the service there.



With the congregation dwindling, however, the building was shuttered in 1988 and subsequently bought by Baker University.

A group of 25 British villagers from the Sproston area, who arrived in Kansas last Thursday for the rededication ceremony, expressed delight at seeing the familiar chapel in its new location. "It looked really marvellous," said Annie Stockwell, one of the last surviving church members, who was married in the building.

"It's different because it is in a much better position than

it was in Sproston. I could not have wished for better. If a place is closed something has got to be done with it. If it stands there it will just deteriorate."

The relocation of the chapel was the brain-child of Daniel Lambert, the president of Baker University, who felt that the Methodist-affiliated college ought to have a link to the denomination's British roots. The project was financed with \$1 million (£629,000) from R. R. Osborne, a 92-year-old former banker and property developer and life-long Methodist.

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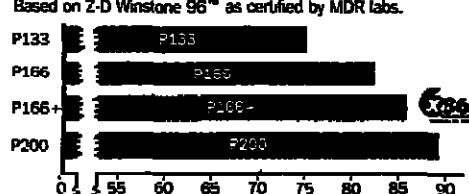


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## 16 OVERSEAS NEWS

# Hong Kong official was 'informer for Peking'

FROM JONATHAN MIRSKY IN HONG KONG

MEMBERS of the Hong Kong Legislative Council suggested yesterday that Lawrence Leung, the former director of immigration, furnished Peking with the names of Hong Kong residents secretly holding British passports and gave local identity papers to Chinese illegally entering the colony. He may also have disclosed to Peking the names of Chinese dissidents sheltering in Hong Kong.

A council member issued a warning that if the allegations proved true they would damage Hong Kong's international standing. At the end of a robust debate, the council voted overwhelmingly to hold public hearings on the Leung case. The hearings were opposed by Woon-kwong Lam, Secretary for the Civil Service, who said the allegations were fanciful speculations in which there was "no public interest".

The Government has insisted since Mr Leung retired on a day's notice last summer that it was for "personal reasons". Mr Leung, who served for 31 years, has maintained that that was the case. Selina Chow, a councillor special-

ising in security matters, said the Leung case could affect "the entire image of Hong Kong". She referred to allegations concerning what she termed "too close a relationship with China", giving rise to fears that Mr Leung might have revealed state secrets to Peking.

The Hong Kong Government, she said, had received "unflattering" information about Mr Leung and forced him to retire. That may have been a reference to reports that the Canadian Government had warned the authorities here that people purporting to

be Hong Kong citizens or Chinese dissidents living in Hong Kong and bearing false documents had sought entry into Canada.

Other questions were yet more painful, Mrs Chow said. They included the allegation that Mr Leung had furnished the Chinese with thousands of names of Hong Kong citizens with the right of abode in Britain. This was a reference to the 50,000 Hong Kong people and their dependants who in 1990, after Tiananmen, were given British passports on a confidential basis. Mr Leung is also alleged to have

given permits to settle in Hong Kong to many more Chinese citizens than regulations allowed. She also alleged that Mr Leung "possibly" had furnished Peking with the names of Chinese dissidents permitted to live in Hong Kong.

Cheung Man-kwong, another councillor, accused the Government of "acting in a black box" and of being unwilling to confirm the truth. That had encouraged a loss of confidence in the Government, he said, which was "covering up a major issue of public interest".

Challenging government assertions that Mr Leung was allowed to retire at his request last July with a full pension, Mr Cheung asked if the Government had taken the initiative by giving Mr Leung ten hours to leave his post, or if it had "warned, suggested or forced him to use a private reason to retire".

Last week, when Chris Patten, the Governor, was asked if he would characterise Mr Leung's service as excellent, he said merely: "He worked for the Hong Kong Government for many years."

## UN warning to Britain

Geneva: Britain was warned by members of a United Nations monitoring body yesterday that it will be legally responsible for the surveillance of human rights in Hong Kong after the hand-over to Chinese rule (Peter Capella writes).

In a one-day hearing on the future of the colony, the UN Human Rights Committee called for continued reporting on the situation after July

1997, despite Chinese reluctance. At present, Britain is obliged to give a regular account to the UN panel of its observance of the International Covenant on Civil and Political Rights.

China has not signed the covenant and has argued that it will not be required to apply its standards in Hong Kong after the transfer of sovereignty. Britain promised to keep monitoring.

## Two of Patten's would-be successors go public on future of colony

BY JONATHAN MIRSKY

TWO of the four men competing to win Peking's selection as Hong Kong's first Chief Executive, the post-1997 equivalent of Governor, set out their policies in public for the first time yesterday. Personalities aside, they sounded distinctly alike. That is because all four are alike.

Speaking yesterday were C.H. Tung, 59, a shipping tycoon and long-time favourite of Peking and

London, and Simon Li, 74, a retired High Court judge who three years ago cast his lot in with China.

Also seeking the post are Sir T.L. Yang, 67, the soon-to-retire Chief Justice, and Peter Woo, 50, who controls shops, television, shipping and container terminals and property and who is the son-in-law of Sir Y.K. Pao, one of Hong Kong's wealthiest entrepreneurs.

Mr Li alone was born in the colony, the Li clan being the closest it has to aristocracy. One daughter,

Glady's, is a QC and his political opposite. A son is foreign editor of the *Los Angeles Times* and two nephews are David Li, the Bank of East Asia chairman, and Dr Arthur Li, Vice-Chancellor of the Chinese University of Hong Kong.

The other three all come from Shanghai and are refugees from a regime they now seek to represent.

When Sir T.L. Yang was appointed Chief Justice by the then Governor, Sir David Wilson, he was universally described as mediocre but

scandal-free. Neither he nor the others will commit themselves over human rights questions or the new Hong Kong Government's legality under its future sovereign.

Mr Woo makes much of his chairmanship of the Hospital Authority as a sign of his public-spiritedness — an interest that is two years old. He is very cautious on democracy and civil rights.

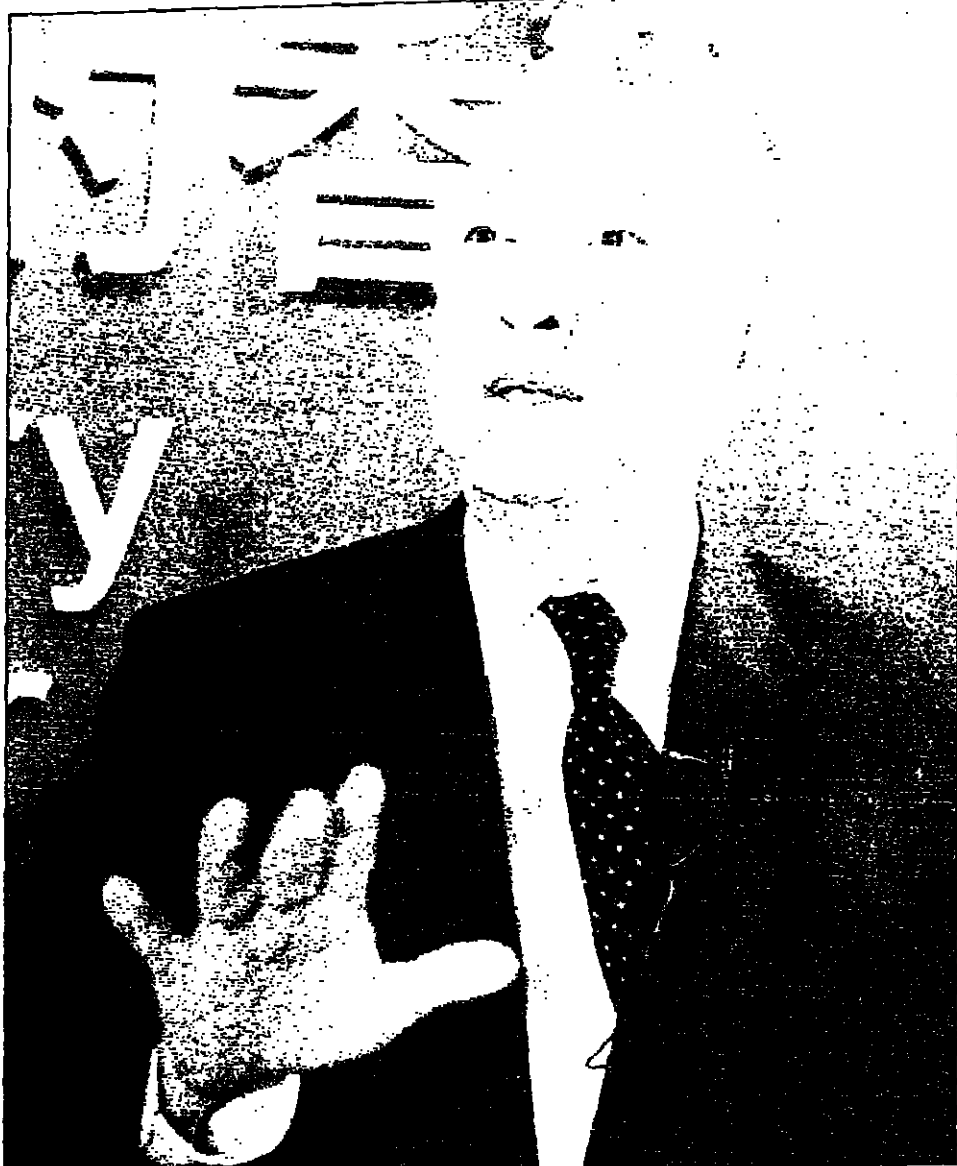
Yesterday, Mr Tung, a Liverpool University graduate, refused to disclose who lent him £75.5 million

in the mid-Eighties when his father's shipping empire went bankrupt. The lender was widely said to have been China's Transport Ministry. Mr Tung also served on Chris Patten's Executive Council where it was assumed he would be a conduit to Peking. He resigned when his Chief Executive candidature loomed.

He denied that China would hand-pick a Chief Executive, but insisted that the 400-member committee, to be selected by Peking,

will make a genuine choice within a month. Mr Li asked if he agreed with the Hong Kong bar that China's intention to replace the existing wholly elected Legislative Council has no basis in law, said: "I have no opinion. That will be decided by the National People's Congress in Peking."

Asked about possible post-1997 problems, he said: "Hong Kong will be part of China, part of its flesh and blood. There will be no problems."



C.H. Tung, who said a Chief Executive will be chosen within a month

## WORLD SUMMARY

## Air crash fireball kills 30

Manta, Ecuador: A cargo plane burst into flames shortly after take-off and hit a church bell tower, raining fiery debris on dozens of homes in Manta, Ecuador, killing at least 30 people on the ground and leaving 80 injured.

The Boeing 707 bound for Miami hit La Dolorosa Church on Tuesday night. All three members of the crew, one believed to be an American, as well as the priest, were reported killed. "It is impossible to know the number of victims because the flames have prevented us from reaching all the homes," one firefighter said. (AP)

## Rock's status downgraded

London: Britain has appointed a lower-ranking officer to be the next commander of British forces in Gibraltar, providing further evidence of the Rock's downgrading as a naval base. (Michael Evans writes). Gibraltar is one of about ten sub-regional headquarters in Nato which may be eliminated in a headquarters streamlining operation. Under the Nato plans, Gibraltar could be absorbed into a wider command.

## No verdict on British surgeon

Wellington: A New Zealand jury begins its third day of deliberation to reach a verdict in the trial of Keith Douglas Ramstead, 44, a former British heart and lung surgeon from Liverpool, who pleaded not guilty to manslaughter over the deaths of three patients, on whom he operated for lung cancer while working here in 1991 and 1992. (Reuters)

## Suspended jail term for Armani

Milan: Giorgio Armani, the fashion designer, has received a 20-day suspended jail sentence for corruption under a plea-bargaining deal. Lawyers sought the deal at a hearing where he was among 43 people who are alleged to have paid or received bribes for easy tax audits. (Reuters)

## Most valuable stamp for sale

Geneva: The most valuable single postage stamp in the world, the so-called "Trekslinging Yellow", issued in Sweden in 1857, is to be auctioned in Zurich by a Swede who bought it for nearly £800,000 in 1990 but never fully paid for it. (Reuters)

## Mandela names first black Chief Justice

FROM INIGO GILMORE IN JOHANNESBURG

PRESIDENT MANDELA appointed Judge Ismail Mohamed as South Africa's first black Chief Justice yesterday amid claims that the President had acted irregularly by backing him to fill the post.

The announcement was made by Jakes Gerwel, the Cabinet Secretary, who said that the appointment was in line with the Judicial Service Commission's recommendation after public interviews for the post. Mr Mandela had made the decision after interviewing Judge Mohamed and the only other candidate, Mr Justice Henrie van Heerden, the second most senior appellate division judge.

By tradition the appoint-

ment to Chief Justice is based on seniority and Mr Justice van Heerden, an Afrikaner who was backed by the overwhelming majority of judges, is regarded as an outstanding jurist.

However black lawyers' associations and dissenting judges argued that he was identified with the apartheid era and those campaigning for Judge Mohamed, Deputy President of the Constitutional Court, won unexpected personal support from Mr Mandela.

Last night, speculation rose that Mr Mandela's choice of Judge Mohamed could provoke resignations among the appeal judges.



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## Women use make-up in fight against Taliban code



Michael Dynes reports from Mazar-i-Sharif that women there are refusing to submit to Taliban oppression

CHANTING women demonstrated outside the blue mosque in central Mazar-i-Sharif yesterday in protest against the anti-women strictures imposed by the radical Taliban militia on women in Kabul.

Participants threw off their traditional burkas to don lipstick, rouge, nail varnish and high heels in an act of defiance against Taliban, which had been given the approval of the religious and political leaders in this northern Afghan city. Since capturing Kabul last month, Taliban has banned girls from attending school and prohibited women from working in offices. Those who have refused to comply have been bullied, beaten and imprisoned.

Expressions of defiance against Taliban's Islamic code

have been rare and ruthlessly suppressed. A woman doctor in Kabul was killed for ignoring the instruction not to work at one of the local hospitals.

A wave of panic swept Mazar after the fall of Kabul for fear that Taliban would soon impose similar restrictions there. That anxiety subsided, however, after General Abdul Rashid Dostum, the northern Uzbek warlord, said that he would never allow to come to the city.

Like Kabul, Mazar has tens of thousands of war widows who are the sole breadwinners in their families. Women have also flourished under General Dostum's liberal Islamic regime. They are horrified at the thought of being banned from the professions and other walks of life.

Women in Mazar who wear



Unveiled women in Mazar-i-Sharif demonstrate outside the mosque as anger against Taliban restrictions on women in the capital rose yesterday

the burka, which covers them from head to foot, with a cotton mesh over the eyes, do so for cultural not religious reasons. They are free not to wear it if they so choose.

Demonstrators reacted with jubilation on hearing the news that General Ahmed Shah

Masoud, the head of the former Government's defence forces, had launched a new offensive against the Taliban militia's positions in northern Kabul.

Jamila Tallayee, a middle-aged Kabul woman who left the capital a week after

Taliban took over, said: "During the 17 years of war in Afghanistan, women have had to fend for themselves. Taliban views on women have no authority in the Koran. We do not like them and we do not want them here."

In an emotional address to

the demonstrators, Faysan Khan, a female engineering graduate from Balkh University in Mazar, said: "Islam allows women to have a life. Women should not be kept illiterate. We will not accept this. Thousands of women in Mazar are widows. They need

to be able to continue their lives." The demonstrators issued a declaration calling on the international community to put pressure on Taliban to stop its oppression of women and enable them to "participate in the reconstruction of war-ravaged Afghanistan".

## Bhutto is accused of shooting 'cover-up'

FROM ZAHID HUSSAIN IN KARACHI

THE Bhutto family feud has taken a new turn as Ghinwa Bhutto, the widow of Benazir Bhutto's younger brother Murtaza, publicly accused Pakistan's Prime Minister of defending the police officers allegedly involved in his death.

She has also rejected a three-member tribunal that has been set up by the Government to investigate the killing, saying that she had no confidence in the administration.

Murtaza Bhutto and seven supporters were killed in police gunfire in Karachi last month. Ghinwa alleged that the killing was masterminded by the police chief and the head of the intelligence bureau that comes under the federal Government. The administration rejected that allegation and refused to take any action against the police officials.

Talking to journalists at a house in Karachi, Ghinwa said that the administration was protecting the killers. She said there was no question of reaching a political compromise with her sister-in-law until those involved in her husband's death were arrested.

Ghinwa Bhutto, who is Palestinian-born, has also hinted that she might accept the leadership of her husband's faction of the Pakistan People's Party and challenge the Government. She plans to make an announcement about her political future at a memorial rally for her husband in Larkana tomorrow.

The accusation has embarrassed Benazir Bhutto and most observers believe it will fuel public resentment against her Government, particularly in her home Sindh province.

## Warlord's tanks support ousted government army in push for Kabul

FROM CHRISTOPHER THOMAS IN KABUL

FIGHTING intensified north of Kabul yesterday in a battle for control of strategic high points overlooking the city. General Abdul Rashid Dostum, the Uzbek warlord who controls six northern provinces, has moved more tanks and

artillery to the outskirts of the capital to support troops loyal to the ousted Government.

The Taliban Islamic militia, which captured Kabul on September 27, sent more forces and artillery out of the city to meet the offensive. The battle is being fought between five and ten miles from the outskirts of the capital and the distant thud of

shelling can be heard from central Kabul.

Pakistan's attempts to broker a ceasefire remain in trouble. The United Nations is also involved in trying to bring peace, but feels that it is being undercut by Islamabad's efforts. Taliban has agreed to a ceasefire to enable an exchange of prisoners, but that has been dis-

missed by its enemies as inadequate. What they are looking for is tantamount to surrender.

General Ahmed Shah Masoud, defence chief of the former Government, insists that Kabul's rulers must agree to open discussions on withdrawing from the city before there can be a ceasefire. His tanks have been shelling the foothills on

the northern edge of the capital to drive Taliban back into the city, but the Islamic army is constantly moving its positions.

General Masoud would have a commanding view of the civilian airport if he captured the foothills. He has pledged not to bomb or shell Kabul, unlike other Afghan warlords who have killed thousands of

civilians over the past four years. General Masoud's next target, if he can drive Taliban back into Kabul, will probably be the eastern city of Sarobi, on the crucial supply road to the Khyber Pass.

Many expatriate aid workers have left, but those remaining believe that the city will not be bombed.

## Panic as fleeing Hutus flood into Zairean town

FROM SAM KILEY IN BUGARAMA, SOUTHWEST RWANDA

TENS of thousands of Hutu refugees fleeing fighting in Zaire flooded into the town of Bukavu yesterday, spreading panic that was worsened by looting by local soldiers.

According to the United Nations High Commissioner for Refugees, 40,000 Hutus and 10,000 Zairean villagers had poured into Bukavu in Zaire yesterday after fleeing fighting between the Zairean army and Zairean Tutsi in Uvira, 50 miles south.

Their arrival sparked panic among the 300,000 Hutus, originally from Rwanda, who were living in nearby camps. Many fled to the west of Bukavu, into the jungle of the Congo River basin. Zairean soldiers, retreating from Tutsi warriors, rampaged through the town.

Meanwhile in Bugarama, The Times has been able to establish that the Rwandan army has fought with the armed forces of Zaire in the Uvira region in defence of Zairean Tutsi who have lived there for 200 years.

Local people in Bugarama, a village on the knot of

borders between Burundi, Zaire and Rwanda, confirmed intelligence source reports that about 2,000 Rwandan soldiers crossed into Burundi and then Zaire last week.

Rwandan soldiers have "requisitioned" four-wheel-drive vehicles from Zaire, some of which were owned by relief agencies. Along with their Zairean Tutsi comrades, they have emptied Uvira of everything and everyone.

### British air aid pilot released

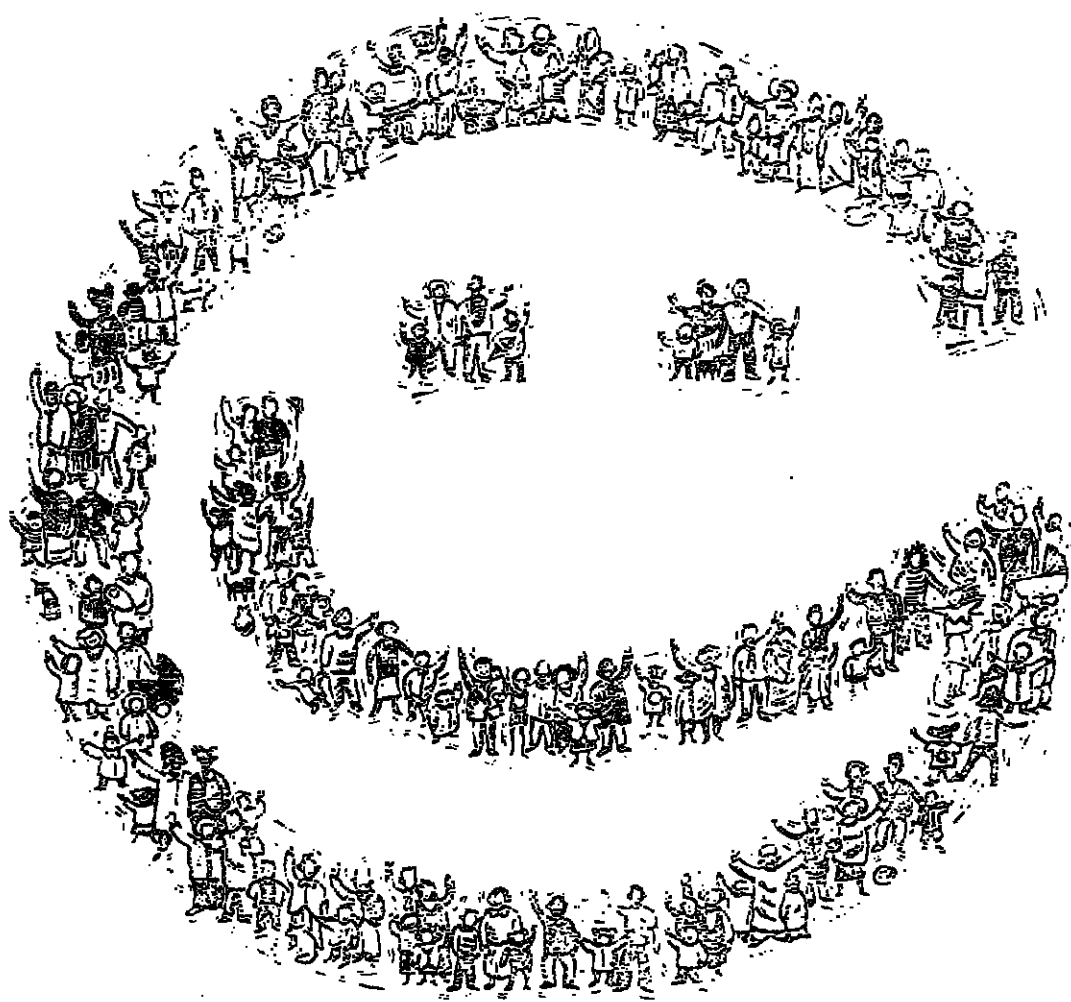
London: Captain Glen Neville-Smith, a British refugee supply pilot detained by Zaire since July when army berets were found on his aircraft, was released yesterday, the Foreign Office said, and was flying to Uganda.

Captain Neville-Smith had been flying aid to a Congo refugee camp. The plane's owners said that berets for the Ugandan Army were on board by mistake. (Reuters)

The Rwandan Government denied allegations that it has sent soldiers to help the Banyamulenge (as Zaire's Tutsis are known) in resisting attempts by the Zairean army to expel them from Zaire. But earlier this month Rwandan government sources said they would close Hutu refugee camps by force if the international community did not shut them down.

Uvira, home to about 220,000 Hutus from Rwanda and Burundi, has been used for the past two years as a base for Hutu rebel insurgents for operations inside both countries. Hutu camps spread along the border with Zaire house a million refugees, many of whom took part in the massacre of Rwandan Tutsis in 1994.

After increased Hutu attacks inside Rwanda and an alliance between the Zairean army and the Hutu extremists, it is now clear that Rwanda's Tutsi-dominated army is prepared to ignore international borders in its attempt to cripple "les genocides".



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## 18 BODY AND MIND



**Dr Thomas Stuttford on controlling antisocial behaviour, height deficiencies in children, flu injections for the vulnerable, reducing the deathrate from an irregular heartbeat, and a treatment for glaucoma that needs to be put in only once a day**

## How do you handle the bad boys?

**P**aul Gascoigne admits that he beats up his wife and has been involved in various other acts of antisocial behaviour on and off the football field. Mick Jagger is rarely out of the news, kept there by recurrently giving way to some instinctive impulse, seemingly regardless of its impact on those around him.

Alex Fryatt, the boyfriend of Sarah Holt (who is now out of the jail to which she was committed because she wouldn't give evidence against him), is alleged to have regularly battered her, to have destroyed her possessions and to have pinned her photograph to a wall with a knife.

Although antisocial behaviour is in many cases confined to the marital home, or to the company of cronies, it displays to a lesser degree many of the same characteristics which prompt road rage, or unprovoked attacks in the street.

At its worst, casual thoughtless violence may result in the heartless torture of an elderly householder surprised by a burglar, or the wanton murder of somebody who interferes in a gallant attempt to preserve law and order.

The socially concerned often plead for people who repeatedly act in this way to be given treatment. The demand is even louder when a successful

person commits some impulsive act which is totally inappropriate to their lifestyle.

There have been calls this week that both Caza and Jagger should be seen, as the Prime Minister would say, by those in white coats and have counselling — which in some people's view is a panacea for all psychiatric ills.

Suggestions of treatment are sometimes accepted by patients with a personality disorder if they are made by those in whom they are in awe. Usually, however, the would-be patients accept counselling only if they feel that it might help them to have a more profitable or enjoyable life. The truth is that most patients with a personality disorder don't give a damn what others think about them.

In most cases when counselling is used, the result is disappointing. Many of the patients have little desire to change their personalities and are not troubled by an uneasy conscience.

Treatment is made even more difficult because they not only usually fail to make deep, long-lasting sexual relationships, they also lack trust in those who are trying to help them.

Twin studies have confirmed that there is an obvious genetic component to the development of an antisocial per-

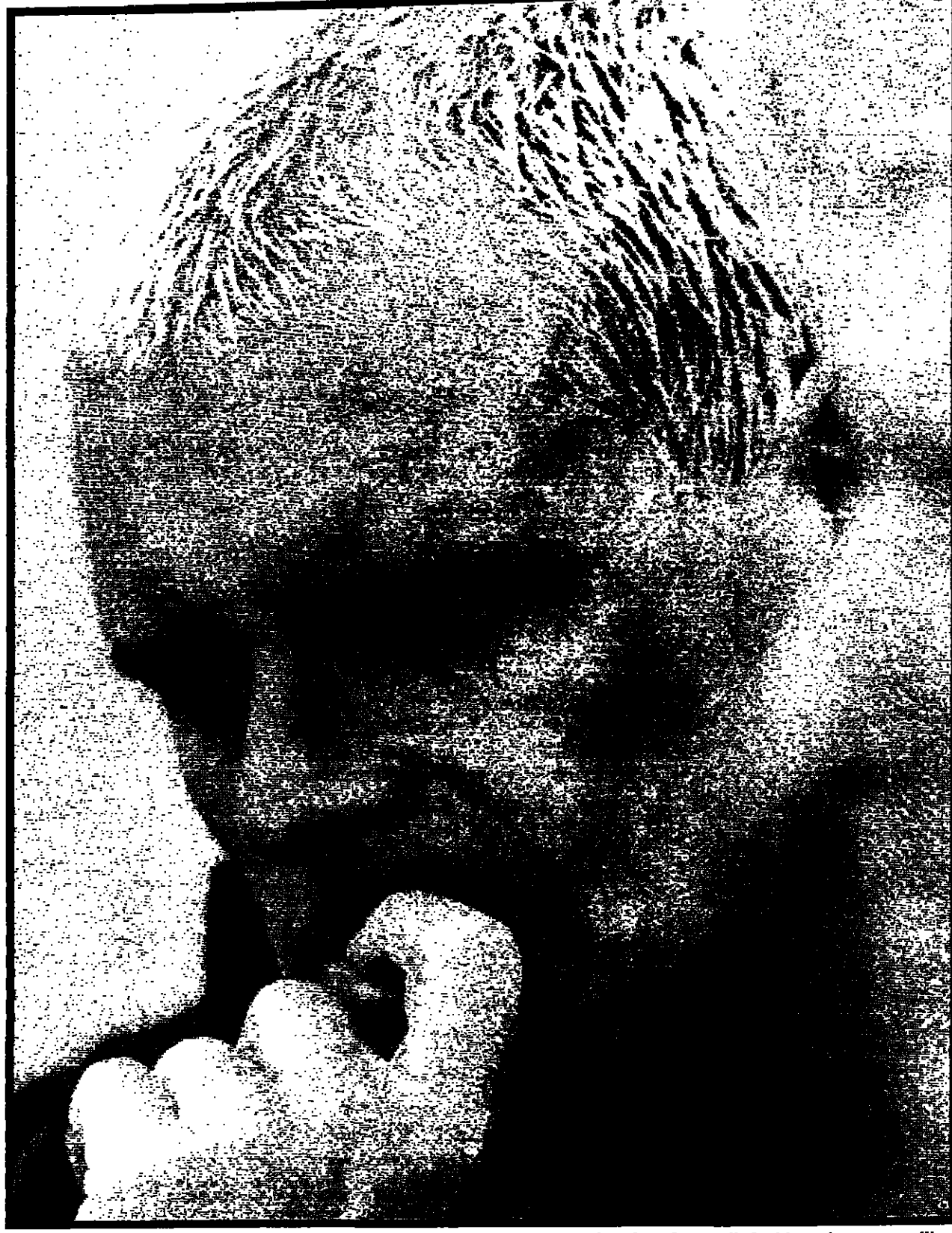
sonality. Home background does count, however — a conscience is nurtured in childhood by association and identification with parents, and if this relationship is deficient because of the absence of parental influence, or its inadequacy, antisocial traits may develop.

The man who is going to have trouble later will as a child be unusually egocentric and demanding.

**B**efore long the potential wife beater, road rager, and hellraiser is in trouble with authority for lying, bullying, theft and other petty misdemeanours. Without a normal conscience such people are indifferent to right and wrong but still know what society demands of its members.

Dr Robert Andrey is one of the leading experts on antisocial personality disorders, particularly when related to prisoners. He says that such personality disorders are of very varying severity — from the manipulative entrepreneur or politician, to the other extreme the murderer or gangland boss who mutilates his rivals to retain command.

The successful politician, or tycoon, is often found to be unusually but insincerely charming — for he will have



Paul Gascoigne has been constantly in the news because of his behaviour and there have been calls for him to have counselling

discovered that there is no better way to achieve one's objective than to be able to turn on the charm.

Very often the success of these people's professional lives is in contrast to the chaos of their personal life, where their amorality and domestic unreliability leaves a trail of broken marriages, drunken escapades and disturbed children.

The result of treatment de-

pends on the degree of severity of the personality defect and how much conscience the patient has as a result. Dr Andrey found that in prison a quarter of his psychopathic patients responded to attempts to modify their behaviour by a system of punishment and reward. About a quarter were hopeless and did not respond and in the remaining half there was some chance of improvement.

### Flu injections protect the vulnerable

**O**CTOBER is peak time for flu injections. They are recommended for all those over 65, as well as the high-risk

groups who are likely to develop complications if they catch flu.

Those waiting for a jab should be encouraged by a report published in the journal *General Practitioner*. This showed that the likelihood of having to go into hospital as the result of flu was cut by 63 per cent if a vaccination had been given.

The research, conducted in Leicestershire, also demonstrated that the Department of Health had accurately predicted who should be in the high-risk groups. As well as including all over-65s, others who need the injection include those with chronic heart disease, chest and kidney disease, diabetes and asthma, and any patients taking steroids or other immuno-suppressants. These groups were twice as likely to suffer serious side-effects from flu as the rest of the population. Patients who have had cancer in any form should also have a flu injection.

## When children stay small

**D**OCTORS and parents should be grateful to the rag trade for much of the information about the changing shape of British children, and what is now an acceptable size and height. The British clothing manufacturers have funded research into the development of children and have produced interesting data on the trends. During this period the brain grows fastest and by the time the child is two it is two thirds of the size of an adult's.

The child underdressed during the first couple of years may lose the power ever to achieve full intellectual potential. Dr Moore is also in favour of recording the girth of the upper arm: this has been found to be a good indicator of the child's state of nourishment. By the age of five the girth of the upper arm should

be 16 centimetres. The child's height and weight are recorded on a chart; when this chart is compared to the other readings it is possible to evaluate development.

Treatment for an under-sized child depends on the cause. Kidney and bowel diseases need expert attention and when there is deficiency of a hormone — whether a thyroid or growth hormone — supplements can be prescribed. The new growth hormone preparations, Somatropin, are safe. They are produced by DNA technology rather than by scavenging in the PM room, a practice that resulted in some cases of Creutzfeldt-Jakob's disease. Any child whose height is below the lines of the national charts should be seen in a special unit.

## Help for a heart that has lost its rhythm



**D**EATH after a coronary thrombosis does not usually occur as a result of the amount of muscle destroyed during the heart attack, although this does happen, but because the heart is apt to develop an irregular rhythm.

Various drugs have been tried in an effort to cut the deathrate from cardiac arrhythmia. These drugs have been reviewed recently by Dr Henry Purcell, a research fellow at the Royal Brompton Hospital, London, in *Monitor* magazine.

The initial survey carried out in the cardiac arrhythmia suppression trial showed that the drugs which were initially used were worse than useless, for the deathrate when they were given went up in the treated patients. A different drug, Amiodarone, has been more successful. Even when used by those who had suffered extensive heart damage, Amiodarone reduced the deathrate from arrhythmia.

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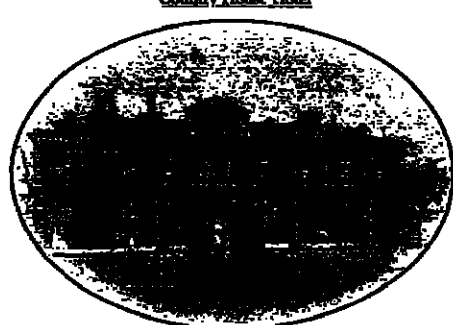
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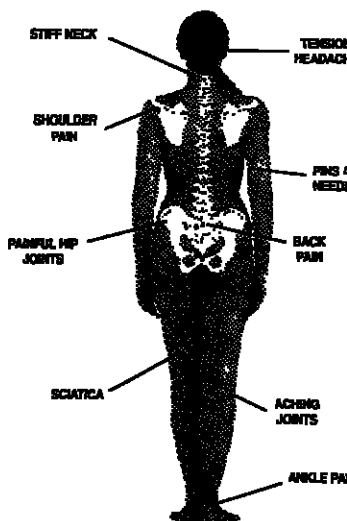
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# 'The truthfulest man in the world'



A chance encounter with the late, great Dennis Potter changed Louise Germaine's life. Interview by Joseph Connolly

I barely recognised Louise Germaine when she entered the restaurant. It is rare that a natural platinum blonde beauty dyes her hair mouse and eschews all trace of make-up save a smidgen of lipstick. She tells me it is all for the sake of her first stage part in Michael Wall's *Women Laughing* at the Palace Theatre, Watford — she is currently, she explains, "very into dowdy". But although Louise looks nothing like her most famous incarnation — Sylvia, the brassy, amoral and, it must be said, wholly desirable *Fifties* cinema ushette in Dennis Potter's *Lipstick On My Collar* — dowdy she most certainly isn't.

Her mouth is constantly breaking into huge and genuine smiles and often naughty and infectious laughter, while her grey-blue eyes are having a party. She is very chic in a dusty pink bouclé suit — may be not Chanel... may be Louis Feraud? "All I know is that it was £8 from Oxford — mind you, that was about three years ago."

Louise Germaine, it emerges straight away, is about as un-luxury an actress as you can get: modest, happy-go-lucky and disarmingly honest. As she says: "I never even wanted to be an actress." That she did cross over from fashion modelling to prime-time small screen — as well as become the muse for our best television playwright — was all down to an outrageously unlikely chance meeting with the late, great, Dennis Potter.

Louise was 19 at the time, picking up modelling jobs where she could, happy to be in London and clear of what sounds like a pretty grim childhood in Margate. "I didn't really go to school," she says. "My mum kept inventing crummy businesses, like a broken-down café or a second-hand shop, and I'd be stuck in it to work. I was the only girl, so I looked after my four brothers as well." There is clearly no love lost between Louise and her mother who was, she recalls, "out a lot. All the time, really."

By the age of 15 she had had,

enough and came to London in 1986 with no more in her head than the dream of becoming a model. One year later she found herself in Rome, modelling swimwear and lingerie for a mail-order catalogue. She stayed in Italy for 18 months, and after brief forays into Greece and Spain, came back to London, where she did a few magazine advertisements — "for tea bags and stuff like that". Somehow the call reached her agent that models were required as walk-ons for a new television drama called *Blackeyes*: Louise was called, and Louise was chosen.

"I was fascinated by all of it. But I think I liked the canteen food best of all. There was this bloke drinking red wine and I said to him: 'Isn't it all exciting? Have you ever done it before? Are you an electrician? What's your name?' He said Dennis Potter. I'd never heard of him. It was only when all the other girls said: 'What did you say? What did you say?' I thought, whoops — I think he must be important or something. They all thought of him as the director — no one much minded who wrote it. I was really embarrassed," Louise laughs out loud at the memory. "Only for about ten minutes, though."

All Potter had said to her was "see you in two years' time". Almost exactly two years later, she was invited by the director Renny Rye to audition for the lead role in the upcoming six-part, *Lipstick On My Collar*. "I thought they were joking — I'd never read a script in my life. The funny thing was I understood absolutely everything in it. But I didn't get too excited — I knew that this could change my life, but I thought if I get it, I get it, if not, not. Two hundred girls were actresses. It came down to three of us: Renny wanted one of the others, but I heard Dennis say to him, 'but just look at her face'. When I had the costume on, I just knew the part was mine." Louise laughs quite uproariously. "I had loads of letters

about that walk, but I tell you — in one of those pencil skirts and high heels, it's the only bloody way you can move!"

The fan mail poured in, and so did the offers. The trouble was, all the roles involved at least partial nudity. "I'd decided I didn't want to do all that any more — I even turned down the *Wonderbra* advert." Regrets? Again comes Louise's big and happy laugh: "Nah! I don't regret anything. I did a screen test for a Michael J. Fox film, but I hated the script and it turned out that the producer didn't want me to act so much as live with him in Malibu! I just hate all that."

During the 22 weeks it took to film *Lipstick On My Collar*, Potter

and Louise spent more and more time together. "I just suddenly found someone I could talk to, tell him everything — someone I could cry with. We held hands and things, just as you do with your greatest friend" said to him — how did you remember me after two whole years? He said 'How could I ever forget?'

They hadn't seen each other for three or four months when, in 1994, Potter invited her to one of their regular wine bars. "He looked ill, and tired. He said to me, 'I've only got weeks to live.' Just like that. I looked at him. I couldn't believe that this person wouldn't be here for me. I had to say something, and know why — 'Oh God, I don't know why — I've just got married.' Which wasn't true: Louise had, after a relationship of a few weeks, decided to marry one of her

brother's best friends. They drove to Gretna Green but hated the place so much, "we thought OK, then, we'll have the honeymoon first and get married later. So when I told Dennis, I wasn't actually shocked or disgusted, I wouldn't have married Lea two weeks later."

Potter offered Louise *Karaoke* — with *Cold Lazarus*, his very last work — which he had written for her. When casting came around, Louise was pregnant; she owned up to this and such honesty cost her the part. "I really wanted to do it — they went on about insurance and things, but I think they were being dishonest. And then I heard *Saf-fon Burrows*" — the eventual

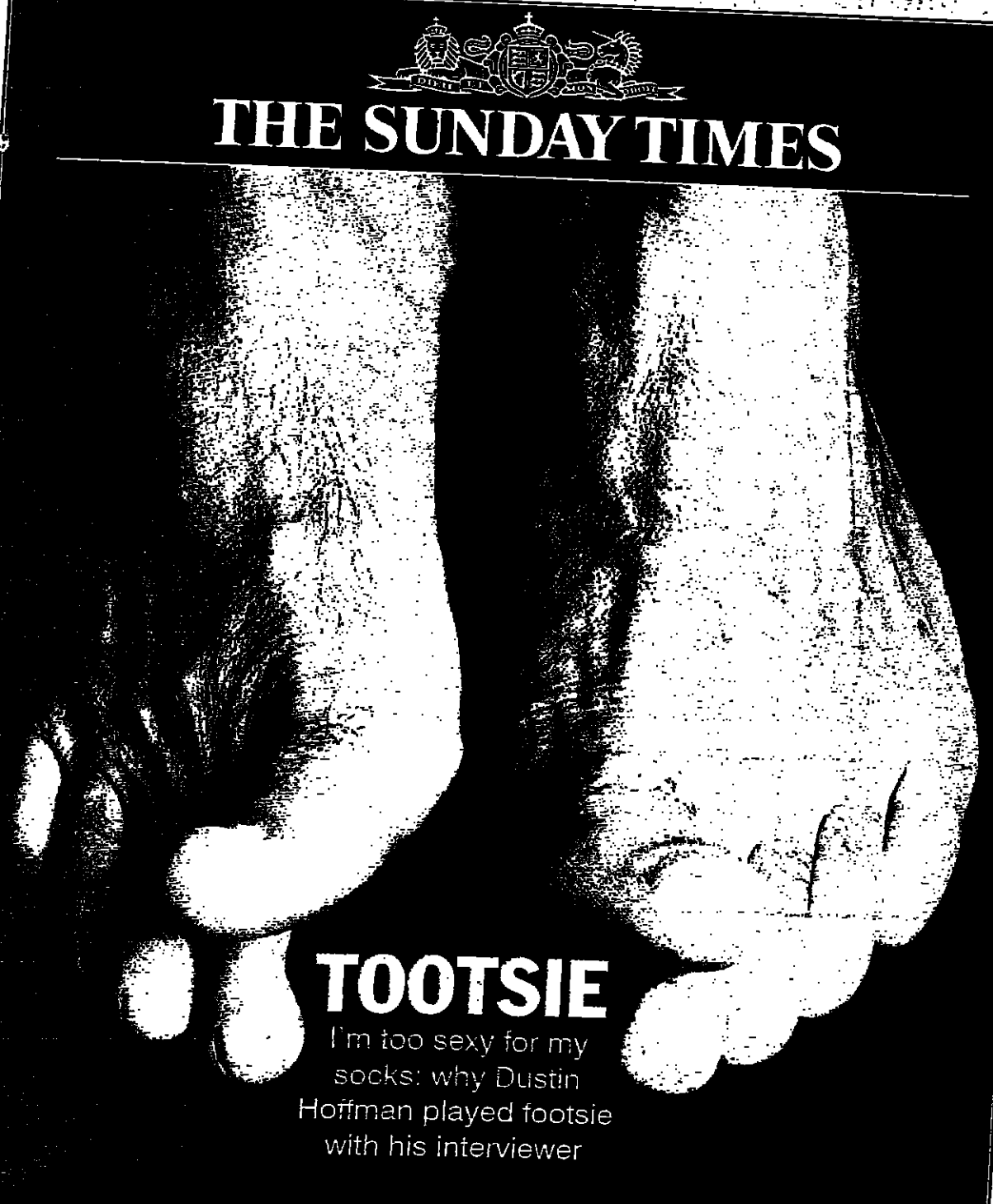
choice — "saying that Dennis had written it for her, and that really is wrong: it was mine."

Unlike Daniel Feild — Potter's alter ego in *Karaoke* — Potter left nothing to Louise in his will. "Oh I don't care at all about that. He gave me so much more when he was alive. He taught me to believe in myself — I do have faith in myself, but not as much as other people seem to. Dennis was wonderful — he changed me. He taught me. The kindest and truthfulest man in the world." She looks up, hesitantly. "Can you say truthfulest?" Yes, Louise — you certainly can.

● Louise Germaine continues in *Women Laughing* at the Palace Theatre, Watford, until Saturday



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## THE SUNDAY TIMES

# TOOTSIE

I'm too sexy for my socks: why Dustin Hoffman played tootsie with his interviewer

**ZOE HELLER**  
"I set up his bed so that he could be upright. Then, after removing the brace, I administered my first-ever sponge bath. Zoë Nightingale or what!"

**RICHARD ADAMS**  
The author of *Watership Down* picks up Robert Louis Stevenson's *Treasure Island* as a deadly reunion awaits Jim Hawkins and his old enemy, Long John Silver

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# Why the intruding must stop

Magnus Linklater says press excesses are growing worse

Newspapers have always sailed close to the wind when it comes to murder. A favourite tactic, much used by such reporters as the famous Duncan Webb of *The People* in the 1950s, was to find out whom the police considered to be the prime suspect in a local murder case, and then offer him the opportunity of "clearing" his name on the front page. A headline would duly appear saying something like "The wicked lies they are telling about me", and the story beneath would recount a series of damning allegations, all of them strenuously denied. In the course of it, the clear impression would be given that the luckless character, often completely innocent, was all but ready to be strung up.

This kind of thing seems relatively innocent compared to the article which ran in *The Mail* on Sunday last weekend. It concerned Colin Stagg, the man acquitted of murdering Rachel Nickell, and contained evidence not heard by the jury two years ago. Much of the material, which could only have come from court or police sources, revolved around Stagg's movements on the day of the murder, and included details of what he had told an undercover policewoman about the position of Rachel's body. Just in case the implications were not clear enough, the paper asked whether Mr Stagg had deliberately given misleading information "because he knew exactly when the killing occurred".

Next day, Mr Stagg's flat came under siege from reporters and photographers, all presumably anticipating a dramatic confession. What they got was abuse from fellow residents, an angry denial from Mr Stagg's wife, Diane, and the offer of an interview in exchange for a substantial cheque. All in all, it was an unsavoury episode. Not the least depressing thing about it was that it caused so little fuss. Lord Denning, now 87, observed that in his view the newspaper was in contempt of court, but since the case has been abandoned, this seems unlikely. Stagg cannot be charged again, so proceedings are no longer "live". Only what remains of his reputation can be stained.

Yet by any standards the *Mail's* story was grossly unfair. By presenting prosecution evidence that was never submitted to rigorous testing at the hands of the defence, the impression was given that this was reliable information. Yet, as Stagg's defence counsel, William Clegg, pointed out in a letter to *The Times* on Tuesday, the trial judge had ruled that conversations between Stagg and the undercover policewoman were inadmissible and therefore could not be relied upon. Furthermore it was the prosecution which decided not to put any remaining evidence forward, on the ground that it could not and did not prove Stagg guilty of the killing. So what was presented as telling material revealing the truth about Stagg's movements and be-

haviour is in fact evidence ruled out by judge and prosecution alike. *The Mail* on Sunday's Editor takes vigorous issue with my view on the opposite page but I believe he knows no more than the rest of us about whether Stagg was involved or not.

It would be depressing if the press regarded this as carte blanche for further exploits in this direction. The opportunities for recycling court evidence either dropped or never heard in the course of other notable cases must be endless, and although it is protected by the confidentiality that attaches to such material, who knows what effect a tempting cheque or the opportunity of paying off old scores might have on unscrupulous court officials or embittered police officers?

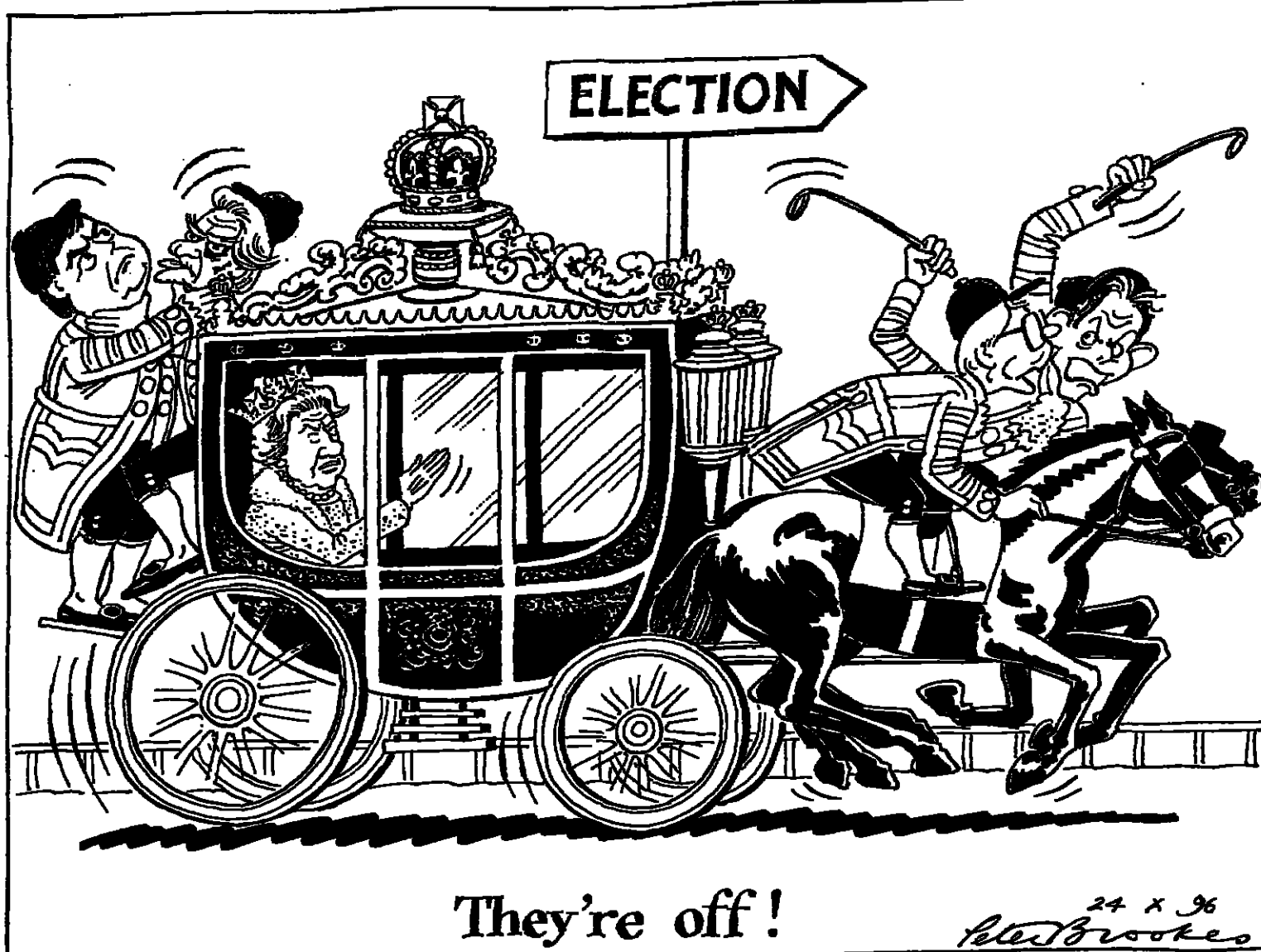
Here, as ever, the line can only be drawn by the press itself, either by the Press Complaints Commission or, better, by a self-denying ordinance on the part of editors and proprietors. Yet the pressure on newspapers to conform to moral guidelines has rarely been so light. It is seven years since David Mellor, as a Home Office minister, warned newspapers that they were "drinking in the Last Chance Saloon", and a year later the Calcutt report stopped only just short of recommending a privacy law to shackle a reckless press.

Many victims of the press also learn to exploit it

What shocked us and Mr Mellor then were such things as pictures of the Hillsborough disaster and complaints from Lord Althorp that his privacy had been invaded by intrusive photographers. That now seems mild. We have seen so much since then that we have almost lost the capacity to be shocked.

At the same time the complainers themselves — Tories such as Mr Mellor and members of the Royal Family among them — have been compromised by their own behaviour. Victims with whom we might once have sympathised have become negotiators with the very media that harass them. No sooner have we begun to feel compassion towards an errant bishop or a beaten wife than we learn that they have "opened their hearts" to a tabloid newspaper in return for large sums of money. The waters of public probity have been hopelessly muddled.

It is only the newspapers themselves that can help to clear them again. The Lord Chief Justice, Lord Bingham of Cornhill, has hinted that the courts might provide their own protection for privacy if MPs fail to, and already there is a suggestion that the new stalking legislation announced by Michael Howard, or the anti-molestation laws to be framed by Michael Forsyth in Scotland, could be widened. Originally proposed to keep deranged stalkers at bay, they might possibly be used also to prevent outrageous harassment by a different, but no less threatening, form of persistent intruder: the media on the loose.



## The opium of America

The drug industry is so large that it will never go away. So what now?

America's presidential election has suffered an eerie casualty. Two months ago in Palos Park, Illinois, the Republican Bob Dole climbed a platform and declared one of the great crusades of America's peacetime history. It was against what is said to be the nation's biggest import business, an industry that dominates America's regional diplomacy, occupies 60 per cent of federal jail space, and is the cause of up to 90 per cent of urban crime. The industry is drugs. Only taxation scores higher as an election issue among America's voters.

Mr Dole duly went to town. He declared that "zero tolerance" of marijuana and cocaine would be his top priority on taking office. President Clinton, he said, had "raised the white flag of surrender", when illegal drug use among young Americans had doubled in five years. He pledged himself to "cut teen drug use by 50 per cent in my first term". His biggest anti-Clinton advertising campaign, costing \$5 million, was on this theme.

In a speech reminiscent of the early Prohibition campaign, Mr Dole suggested that the war on drugs was central to America's moral health. He would put his administration on a war footing. The Joint Chiefs of Staff (not the police) would be expected to come up with a war plan within 45 days. The Pentagon, the CIA, satellites and the National Guard would all be drafted. The presidential candidate is never happier than when rattling a defence budget, and Mr Dole rattled with a vengeance.

The issue has vanished. With two weeks to go to the election, drugs have sunk from public debate. In pages of coverage of the campaign this past week, I could find no reference to the war on drugs, and it featured only in passing in the first of the two televised debates. Drugs may dominate every education, welfare and penal discussion — gaze across the landscape of American domestic policy and drugs loom on every horizon — but they are not to be mentioned in front of the voters.

Mr Clinton's response to Mr Dole's challenge was brisk and cynical. He proposed a huge \$15 billion anti-drugs budget. He had already appointed America's "most highly decorated general", Barry McCaffrey, as head of his drugs executive. His Attorney-General, Janet Reno, swiftly arrested an international drugs cartel. He has now announced a plan to refuse a driver's licence to teen-

agers tested positive for drugs. This measure, if ever passed into state law, would lead millions of Americans to add illegal driving to illegal drug taking as a daily unlawful activity.

Drugs appear too delicate to discuss in an election. The arguments are too raw. Modern democracy has lost its capacity to mandate issues. It can only mandate individuals. During the 14 years when alcohol was prohibited, Americans argued over its cost, its crime and its danger. Ending Prohibition featured in both the 1928 and 1932 elections. In 1996, American politicians look aghast at a

Whenever I visit America and wander a mile from the smart neighbourhoods seen by most visitors, I am awestruck by the scale of the drug industry and by the ferocity and futility of the effort to contain it. Three years ago I asked the Pentagon official responsible for "interdicting" Caribbean cocaine shipments what effect his huge \$3 billion budget had on supply. He shrugged. "It probably raises the street price by 10 per cent in a good year." It might make a few local rulers either angrier or richer. Everyone knew it was pointless, he said, but with 85 per cent of Americans calling for enforcement, money had to be burnt at enforcement's shrine.

A third of American young people are probably frequent, if not regular, users of banned substances. The recent National Household Survey showed young people turning from alcohol and even nicotine towards marijuana, declared use of which has almost doubled since 1990. The reason appears to be that cited by many drug historians: law enforcement's irrelevance. In survey after survey, teenagers say that drunkenness makes them sick and nicotine causes cancer. Marijuana is cheap and, in their experience, relatively harmless. Cocaine is also plentiful. Neither is taxed. The narcotics trade enjoys what is called America's

"biggest corporate tax break".

Two decades of moralising from parents and teachers and of Nancy Reagan telling children "Just say no" have had no effect. There is some evidence that cocaine use by adults is down. But marijuana use is soaring among the young. California's attempt in the early 1990s to impose mandatory 20-year sentences on those caught holding more than \$50 worth of pot has collapsed. Judges refused to try such cases and jurors refused to convict. In most states, conviction for marijuana use leads to no more than a promise to seek treatment. In Kansas, a tax on beer is used for such treatment, no tax on drugs being permitted. However, sale under taxed licence is on the ballot as proposition 215 next month in California. The post-war anthropologist

Morris Carstairs claimed that alcohol was the preferred narcotic of violent, war-like societies, while marijuana and opium were preferred by more passive, reflective ones. The same may apply to American states.

Many Americans accept the parallel of their present predicament with inter-war Prohibition. Most members of the Clinton Administration would dearly love to decriminalise drugs as a public health issue. Many would go further to licensing supply and sale. Yet every argument is wheeled out to postpone reform. "The drug problem will be changed only when America changes," says Mr Clinton, deftly avoiding leadership. Even a liberal Mayor such as Kurt Schmoke of Baltimore explains that half his black community would regard decriminalisation as a conspiracy against blacks, while the other half would protest that drugs are the one business from which blacks can earn big money and progress out of the ghettos. Legalise supply and you merely hand the profits to the multinationals.

Drug laws have acquired the status of communism in the 1950s and the

1960s. They seem to be the enemy America needs for its cohesion. To be "soft on drugs" is to be un-American. Drug enforcement features in ghoulishly violent Hollywood movies. The right to personal arms is mainly, the right to personal narcotics is wimpish. When figures as diverse as George Shultz, George Soros and the head of Interpol, as well as the libertarian Right, all advocate decriminalisation, they are abused or dismissed as eccentric.

The war on drugs has been institutionalised. Police forces, coast guards, prisons would be decimated without it. Mr Clinton's General McCaffrey may plead that this is a war on ill-health. "We are not going to arrest our way out of this problem," he says. But two-thirds of the federal drugs budget still goes on enforcement, not on treatment or reducing demand.

A new study from the Brookings Institution (by Paul Stares) points out that an industry that is now "one of the biggest commercial activities in the world" will not vanish. A quarter-century of war on these products has failed completely to suppress their use. Like Prohibition, it merely enriches villains and endangers users with adulterated produce (like Ecstasy in Britain). The infusion of narcotic herbs, like the distillation of organic matter, is as old as mankind.

For Stares, the only debate is how far government chooses to regulate and tax this industry, and the collateral damage which failure to do so inflicts on respect for international and domestic law. In America, as increasingly in Britain, the argument is less between libertarians and authoritarians, and more between those who work with drug users — the teachers, policemen and social workers — who tend to be decriminalisers, and a wider public, for whom anyone else's narcotic is alien terror. To the latter, illegal drugs and those who supply them must be put out of sight and out of mind. They are like the insane or the old.

Many Americans welcomed Mr Dole's decision to make drugs a campaign priority, however absurd his militaristic solution. There is no hope of reform without the public debate of an election. Yet once again drugs have shown themselves to be the unbreakable in retreat from the intolerant. To those concerned at the growth of drug use by British teenagers, this is a sobering thought. Will the British election be as timid?

Simon Jenkins

## Green blues

TWEED is on the march in Oxford, where a group of dons is scheming to block plans for an Oxford business school to be partially funded by a donation of £20 million from the Middle Eastern businessman and intimate of the Thatchers, Wafic Said.

The first swipe of the mortarboard will come at the University Congregation, a meeting open to all working dons on November 5. Alexander Murray, a medieval history tutor at University College, says that an opposition motion will be placed before Congregation, so forcing a debate. "I have already talked with others of the same mind and we will force a discussion."

Wafic Said, a man not used to high table dithering, will consider withdrawing his contribution towards the £40 million campus, half-funded by the university. If it is not set on a playing field near Mansfield College in the centre of Oxford, he has already rejected earlier plans to site it in an extension to Oxford's existing business school at Templeton College, on the city's outskirts.

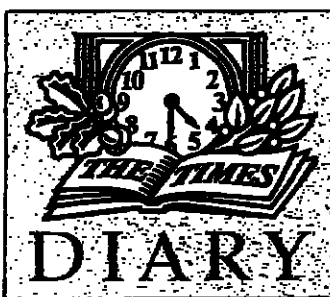
Murray objects to the disappearance of green spaces in the city,

as well as to some aspects of the business school itself. "The people feel that there should be a debate," he tells me. "A lot of the working dons feel that we are being marched too fast into this." In other words, pass the port, cut the cigars and let's all slow down. The University thinks in centuries.

● Burglars who broke in to the home of Carlisle Labour councillor Dawn Breen were discriminating in what they stole. Into the swag-bag went Miss Breen's jewellery, television and video, and all her videotapes bar one: Tony Blair's New Labour: New Life for Britain.

### In-house

JOE KLEIN, the anonymous author of *Primary Colors*, the thinly veiled account of President Clinton's campaign, is being lined up for a new job as political correspondent of the *New Yorker*. Klein, who made a colossal pile before being savaged by the pious American journalistic establishment for lying about the book, works at present for rival *News-*



week magazine. It is no coincidence, insist staff at the *New Yorker*, that *Primary Colors* was published by Random House, which is presided over by Harry Evans, husband of Tina Brown, the Editor of the *New Yorker*.

### Now filming

POLITICAL junkies in need of a Christmas gift will be excited to hear that a courtroom drama starring the Rt Hon Kenneth Clarke, his wife, Gillian, and the former Cabinet minister David Hunt is due to be filmed at the end of the month.

In this sub-John Grisham thriller, entitled *Nottingham Insurance Institute: Mock Trial*, on video only, Hunt will play the judge, telling good from evil in a tale of intrigue and high-risk insurance

fraud. The Chancellor will take the Henry Fonda role as an angst-ridden jury foreman, torn between his duty and his social conscience.

It should be out in time for the Oscars.

● Latest wheeze to replenish the Tory coffers is the auction of one of the party chairman's suits. Brian Mawhinney's cast-offs might not be the greatest trophy for even the most dedicated activist, one might think, but this is the suit that was splattered with paint by angry students. It has just been returned by



the police, with the paint still on it. The most probable buyer is Alan Duncan, MP, Mawhinney's wealthy pocket dynamo in Conservative Central Office, who at the time of the incident made a citizen's arrest of the lentil munchers.

### Low cut

HIE WAS crowned British Designer of the Year on Tuesday night at the Lloyds Bank Fashion Awards. But Alexander McQueen, the stocky little brock-wallah with a No 1 hairdo, cut little ice with the Queen's dressmaker, Sir Hardy Amies.

"It was the naifest thing I've ever seen," says Sir Hardy, 81, who attended the event, immaculate in one of his own creations. "They have John Galiano for Christian Dior, and this other yobbo [McQueen, I presume] for Givenchy," he said, "and they have fallen into this trap that Paris sets for them to get publicity to sell seams. I don't know anybody who would wear that stuff — but then I don't dance around in nightclubs any more."

Sir Hardy, whose recent book on the gentleman's suit is into its third printing, added that he thoroughly enjoyed sitting next to the "stunning" British model Honor Fraser at dinner. "A splendid dinner," he



remarked, but her outfit "was cut so low at the back that it showed the division in her bottom. And I do not think anybody is going to walk down the street looking like that."

P.H.S

## The Queen's runes read

Peter Riddell on the Government's new programme

If the Tories are to defy the polls and the bookies and win the election, they will have to show what they would do with a record fifth term and what would be at risk under Labour. Yesterday's Queen's Speech set the tone for the pre-election campaign. The Government emphasised populist measures — on education, law and order and welfare fraud — which go down well with voters, should unite the Tory party and underline their differences from other parties. But instead of "clear blue water" we looked into a muddy pool. This partly reflected scrappy speeches by both John Major and Tony Blair.

But the Tory strategy is itself flawed. The Government does not have scope to create a big gap between itself and Labour. With a Commons majority of only two, it cannot introduce and hope to pass partisan and contentious measures in the less than six months before Parliament has to be dissolved.

The paradox of the populist emphasis is that much of what was announced, and foreshadowed, yesterday is non-partisan and will be readily endorsed by the Opposition. This was typified by the absurd tussle between the front benches over whether the Government or a back-bencher should sponsor the measures to establish a register of paedophiles and to act against stalkers. Everyone now wants to be seen as tough on crime.

An underlying theme of yesterday's exchanges was the manifesto launched in *The Times* on Monday by Frances Lawrence. Neither of the two main parties mentioned her by name. It would have appeared unseemly, and Mr Blair looked uncomfortable when chided by Mr Major for "cloaking himself in righteousness". His moralism and stress on family values had made some Labour MPs, even a number of his close allies, feel uncomfortable. They agree with the desirability of strengthening families as the best way to bring up children, but they wonder how much the State itself can do without interfering with people's privacy.

Under the lead of Mr Blair, Jack Straw and David Blunkett, Labour has, of course, moved onto the Tory ground on many crucial social policy areas, such as enforcing discipline in schools, raising standards, improving primary healthcare and on many law and order issues. Where Labour has doubts — over minimum mandatory sentences — the opposition is likely to be led by the judges. Labour will attack the relevance of encouraging grammar schools and extending the Assisted Places Scheme, but though these differences are real, they hardly represent a huge gulf.

Of course the Queen's Speech is merely a first instalment. Far more significant will be the Budget on November 26. But as Kenneth Clarke has been warning everyone, and as his meeting with advisers last Friday confirmed, there is no scope for a tax giveaway. Tory MPs looked subdued, though hardly surprised, when Mr Major talked yesterday of the need for "prudence" and said merely that "if it was safe to cut taxes, we will, but if we cannot, we will not". This is partly the usual pre-Budget theatre to lower expectations, so that measures are welcomed on the day. Everyone expects some nominal tax cuts, but they will be nominal, and as both the Treasury and the Labour leadership privately recognise, the Chancellor after the election, whoever it is, will probably have to act quickly to tighten fiscal policy.

That is as much of a constraint on Labour as on the Tories. Labour has been so keen to rid itself of its tax and spending image that Mr Blair yesterday dodged a Tory challenge about whether it would match Mr Major's promise to raise health spending each year by at least the inflation rate. In practice, Labour is likely to endorse whatever spending plans the Government announces in the Budget. But this in turn exposes a big hole in Labour's approach. Its criticism of the Government's health record sound hollow if it is not promising more than can be found from vague savings of administrative waste. A Labour rethink is already under way. In electoral terms this may not matter: the public does not trust the Tories on health however much they spend or do.

If there are no big differences between the Tories and Labour on policy, apart from constitutional reform, the choice is essentially about which team is more trustworthy. Unlike five years ago, Mr Major cannot present his Government as new. He is already fifth in the length of service league of the ten post-war Prime Ministers. So he is seeking to appear a safe pair of hands against the untested Mr Blair. Hence Tory gibes about "smarmy" Mr Blair. He tried to strike back in the debate with a populist note aimed at core Labour supporters. He focused on the Tory record, with charges of "drift" and a "fractured" Britain. These are the current market-tested buzz-words. We are going to hear plenty more of the same before the election. It is going to be a repetitive and fractious winter of pre-election manoeuvring.





## ONLY PALE BLUE WATER

Less divides the parties than Tories would like

The Queen's Speech was discounted before it had been delivered as an exercise in politics not government. Conservative tacticians had hoped the legislative programme would force Labour on the defensive, opposing crime and education measures popular in the country but not on the Opposition back benches. In fact, much of the Government's programme of legislation is managerial and uncontroversial. There will be a consensus for the majority of measures.

Action on welfare fraud and school discipline are vote-winning measures, but they are policies with which new Labour feels comfortable. Jack Straw, the Shadow Home Secretary, will support much that is in the new Crime Bill, although he will continue to oppose the minimum sentences for career criminals and repeat sex offenders at his heart. On gun control, Labour could embarrass the Tories by supporting a total ban on handguns. There is a greater than usual proportion of non-partisan Bills on subjects such as civil law reform and protection of the coastal environment. And two of the most popular law and order measures — the setting up of a register of paedophiles and legislation against stalking — are now set to pass through the House with all-party support.

Originally, it was hoped these measures might reach the statute book by Private Member's Bills rather than in government time. The Government was, however, offered Labour support for them the day before yesterday. The sudden decision to bring them in as part of the Government's programme yesterday afternoon is hardly impressive. Ministers may have been stung by the suggestion that they were downplaying these measures by leaving them to backbenchers to bring in. Whether the Government was driven by embarrassment or expediency, it is to the good that these

Bills will be in ministers' names and debated in the Government's time.

Education promises to be the most divisive issue of this session. The Government plans to allow schools to select more pupils by ability without having to seek approval first: up to 50 per cent for grant-maintained schools, 30 per cent for specialist schools, and 20 per cent for the rest. It will give grant-maintained schools more freedom and extend the Assisted Places Scheme to independent primary schools.

All these are measures which Labour will oppose. And its opposition may unsettle many disaffected Tory voters who have been thinking of switching. Selection is now popular, not least with Conservatives. A Harris survey for the Association of Teachers and Lecturers suggested that 54 per cent of the public were in favour. In the past many middle-class parents in Conservative areas supported comprehensives, but having experienced the reality they want to the Prime Minister's promise of a grammar school in every town.

Tories expect the most political Bill of the session to be the one that could not be outlined yesterday. Deliberately lowering expectations, the Prime Minister emphasised, like his Chancellor before him, that the Budget will be prudent. "If we can cut taxes, we will; if we cannot, we will not." The Chancellor went out of his way to downplay the chances of any tax cuts when he addressed the Tory party conference. But Kenneth Clarke was playing the coquette, saying "No" so that the pleasure when he relented would be all the sweeter. As for the Labour reaction, Tony Blair may yet disappoint the Tories. He has had two and a half years to prepare for a tax-cutting Budget. He may not gratify the Government by falling into a Tory Chancellor's trap as Labour leaders have done before him.

## NATO LITE

Just what kind of Alliance will we enlarge?

President Clinton hopes that the first new members of Nato will join in 1999, in time to celebrate the Alliance's 50th birthday that year. A summit is planned for early next summer, at which a select few states such as Poland, Hungary and the Czech Republic will be invited to present their credentials. In a speech in Brussels yesterday, Michael Portillo lauded the importance of the transatlantic connection rooted in Nato. For the time being, Russian leaders remain opposed to Nato expansion but are not raising their voices. A glide path has been lit up to show the new entrants how and when they can land inside the club to which they so eagerly seek to belong.

One of Nato's strengths lies in attention to practical detail, a preference for facts and deeds over words. Statesmen who talk as if the "thievery of Nato expansion is merely a lengthy procedural matter are deceiving themselves and voters. Moscow's reactions to the prospect of Nato extending to Central Europe have recently been less jerky and less confrontational. But the one Russian spokesman who has been consistent throughout, the Foreign Minister Yevgeni Primakov, has been unrelentingly hostile. There is also no sign yet of a Nato strategy to prevent the countries not included in the first wave of new members feel less secure as a result of their exclusion.

None of the charters, joint exercises, exchanges of military missions and liaison councils has so far softened Russian attitudes. Nato plans to station neither nuclear weapons nor allied personnel on the territory of new members. Nato's most senior officer, General George Joulwan, would like the option to plant a headquarters east of the Elbe, fearful of provoking Russia, the State Department appears ready to overrule him.

## SCHOOL FOR SAFARI

The world breeds bigger game than the sort that got stuffed

The sun has finally set on the British Empire. For Eton College, nursery of empire-builders, yesterday auctioned the contents of its natural history museum. This vast collection of stuffed hide, fin and feather had been accumulated by Old Etonians over 121 years. In office hours they ruled and administered the half of the world coloured deep pink in their school atlases. And for recreation they hunted its exotic fauna and flora. In their spare time they wrote handsomely illustrated books with titles such as *With Rod and Line from the Ganges to the Andes*, and were the role models for *The Boy's Own Paper* and other such period publications extolling manly virtues. And naturally they presented their surplus trophies to their alma mater, the old college.

Some were eccentrics even after allowing for Etonian tolerance of eccentricity. Albert Edward Leatham (Eton 1873-76) is still remembered. His book *Sport in Five Continents* exemplifies the stiff upper lip, loose lower jaw and ostentatious modesty of the big-game hunter. The stuffed victims he presented to Eton range from a pride of lions, a giraffe, a 500-lb tarpon and a warthog to a previously unknown species: an Ichang tufted deer he bagged in the mountains of central China.

For a century the natural history museum was one of the most popular schools at Eton. Boys learnt biology, botany and the pleasures of collecting not just from its dead

game, but also from birds' eggs, butterflies, pressed flowers and other wonders of nature. But nature films on television and safari parks have made it possible to see the wonders without shooting them. The mood of the age has turned against killing animals for sport. The Empire has gone. And in 1996 Etonians take genetics, ecology and environmental studies rather than the fauna and flora of the Empire. The politically correct among them may support the right to arm bears against hunters. And so the day has dawned when the Rudyardian cease from kipling and the Haggards ride no more. It must have for Eton, richest and most acquisitive of schools, to sell its world-famous collection.

But of all the threatened species, the most melancholy may be the disappearance of the big-game-hunting Empire-builder in his solar topi and Old Etonian tie. He seemed wiped out by world wars. According to his contemporary lights he was often a brave and honourable creature. But the sale of his museum of stuffed beasts shows that far from becoming extinct, he has as usual merely evolved and adapted. Etonians are notoriously fast-footed at the survival of the fittest. So they have downsized and offloaded the stuffed lions and elephants' feet in their museum. But on their customary Darwinian form, they are about to become the wonder and envy of their contemporaries for their safaris on the Internet and by electronic trading in futures.

## Ethical issues on sperm donation

From Professor Michael Hull

Sir, There has been an emotive swell of opinion, including your leader of October 18, on the tragic and extraordinary case of Mrs Diane Blood, favouring posthumous insemination. The Human Fertilisation and Embryology Authority is pilloried for "narrow legalism".

Opposing views are probably widely held, however, concerned with fundamental ethical issues. For instance, a survey of the views of fertility centres licensed to store human sperm or embryos, conducted here last year and published in the *British Medical Journal* (July 6, 1996), showed that at least a quarter of all centres (even counting those that did not reply) were opposed to posthumous treatment.

About a fifth of the centres were also opposed to transferring stored sperm or embryos to a more liberal centre. That would be assisting a treatment to which they were ethically opposed. A few centres agreed to posthumous treatment only to produce a sibling for an existing child.

The personal desire to keep alive the loving memory of a deceased spouse through a child evokes enormous sympathy. But the child will have no memory of its lost father (or mother in the case of embryos posthumously transferred to a surrogate). The fundamental ethical concern in all fertility treatment must be for the welfare of the offspring.

The consensus in my centre, supported by an independent ethics committee, is that we should assist conception only during the lifetime of both parents. Furthermore, if for example we store sperm or embryos for a man or couple prior to treatment for cancer which would destroy fertility, we do so only with the understanding and signed agreement that transfer to achieve pregnancy will not be undertaken while the illness could be terminal.

My colleague Professor Lord Winston, in his comments which you reported on October 19, seems to confuse the ethical principles of organ donation to save the life of a living person with those of sperm donation to create a new child.

He is also reported as arguing that, since a widow could be legally inseminated with sperm from a stranger (albeit, I would add, a properly counselled and medically screened "donor" having given formal consent) the law should be changed to allow posthumous insemination, with her deceased husband's sperm, with or without his consent. Perhaps the law should be changed, rather, to prevent artificial insemination of a woman on her own (though this is probably unworkable).

The bereaved need help to grieve for the lost partner and then to look realistically to an independent future. A particularly poignant personal tragedy which can arise is of a childless woman widowed when aged in her late 30s, since she may miss the chance to have children by a new husband. But is that reason enough for society to support the conception of a child without a living father?

Is the fact that children are born fatherless due to accident reason enough to allow treatment which plans such an outcome? Is our society ready to abandon its foundation on the traditional family?

Yours faithfully,  
MICHAEL HULL  
(Professor of Reproductive Medicine and Surgery, University of Bristol, St Michael's Hospital, Bristol, October 20).

From the Archdeacon of Sarum  
Sir, Had Diane and Stephen Blood used the modern marriage service, I wonder whether the law could have taken account of the commitment, "all that I am I give you, all that I have I share with you" — since the bridegroom subsequently signs the marriage register.

Presumably the words of the Prayer Book service, "with all my worldly goods I thee endow", can be taken as not including the husband's sperm — or are the promises of the marriage service now taken to be of no real validity in the legal relationship between husband and wife?

Yours faithfully,  
B. J. HOPKINSON,  
Russell House,  
Stratford-sub-Castle,  
Salisbury, Wiltshire,  
October 19.

From Mr Mike John  
Sir, Isn't it extraordinary that in a country where the relatives of a dead person can agree to the use of organs for transplant purposes, with or without the dead person's prior permission, a widow cannot use the sperm of her dead husband?

First, surely the sperm should be hers anyway, by right of inheritance (assuming her husband's estate passed to her); and, secondly, if this ridiculous law has to be adhered to, cannot the executors of the dead man's estate provide the necessary written permission on his behalf, as they would be able to do in other matters?

Yours faithfully,  
MIKE JOHN,  
Woodroberts, Winkleigh, Devon,  
October 17.

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Letters for publication may be faxed to 0171-782 5046.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

### Alan Clark's view of modern Europe

From Sir Nicholas Henderson

Sir, The comparison Alan Clark draws in his article (October 15) between the problems Chamberlain had with Germany in the Thirties, and those that John Major faces today with that country is a travesty. It really seems odd to have to point out the complete contrast between the militarily aggressive intentions of Hitler and the insistently peaceful policy of Kohl, whose overall aim is to bind his country into a closely integrated Europe.

But there is also a serious historical distortion: Chamberlain did not tolerate the "adjustment" by Hitler of territorial boundaries in Eastern Europe in a way that "could, and should, have made a conflict between Russia and Germany inevitable" as Clark asserts. The idea that Chamberlain was somehow favouring a war between Germany and Russia is the one that Soviet propaganda fastened upon to justify the Nazi-Soviet Pact and that Moscow maintained consistently for 50 years.

Without wishing to justify Chamberlain, it has to be said for the sake of historical accuracy that his policy was peace and disarmament. He believed that it should be possible to appease Hitler by this or that concession, including territorial changes, but that these must come about with British agreement and by peaceful means.

In all this he was gravely mistaken, but the Cabinet minutes of those days show that he and his ministers, including Halifax, realised that British

(and French) interests would not be served by military conflict between Germany and Russia.

Given French commitments to Russia and Eastern Europe that country would be bound to be involved should Hitler move east. Britain would inevitably find itself drawn into any such conflict.

But overriding other considerations was the recognition that the outcome of a Soviet/German war in which other powers were not engaged would be the dominance of the Continent by one or other of them, probably Nazi Germany.

Yours faithfully,  
NICHOLAS HENDERSON,  
6 Fairholt Street, SW7,  
October 16.

From Mr Anthony Chamier

Sir, Some will be amused by Alan Clark's comparison of the Prime Minister's policies towards the European Union with Neville Chamberlain's towards Nazi Germany and the Soviet Union.

I find a comparison between Britain's appeasement of vile tyrannies and her response to the aspirations of the social democracies of Western Europe today not only inapt but odious.

Yours faithfully,  
ANTHONY CHAMIER,  
Acharndun House, Ardross,  
By Alness, Ross and Cromarty,  
October 16.

### Burying cables

From Mr David G. Jefferies, FEng, Chairman of the National Grid Group plc

Sir, The debate on the suggestion that high-voltage overhead transmission lines should be laid under ground (letters, October 9, 11, 18) is an international one. Relatively few connections at the highest voltage (400 kilovolts) in England and Wales have been put under ground, though our research shows that the transmission system has more underground cables at such voltages than any other country.

For operational environmental and financial reasons it is exceptional for high-voltage connections to be under ground. It takes about fifty times as long to repair a cable as it does an overhead line and this would have implications for the security of the electricity supply if underground cables were widespread.

Whereas each pylon carries its wires overhead, underground cables need to be placed some distance apart from each other for cooling purposes, requiring a swathe of land the width of a dual carriageway.

High-voltage underground cables not only restrict the use of the land after reinstatement, but can also have severe effects on sensitive habitats. They cost between 15 and 25 times as much as the equivalent overhead connection, a figure of up to at least £10 million a kilometre.

The costs of putting under ground the whole high-voltage system referred to by Mr McGregor (October 11) would be about £54 billion, leading to

an increase of around 25 per cent on the price of electricity for the average customer.

High-voltage transmission lines are sometimes regarded as unsightly, but they play a major role in the economic provision of one of the country's vital commodities.

Yours,  
DAVID JEFFERIES,  
Chairman,  
The National Grid Group plc,  
185 Park Street, SE1,  
October 18.

From Mr Richard Need

Sir, Having researched the subject for a documentary film some thirty years ago, I have to say that the relative cheapness of overhead lines means that they can often avoid beauty spots, skylines and other sensitive areas. But the cost of laying expensive high-voltage cables in concrete-lined trenches is so high that diversions are almost out of the question, the straight line being the aim of engineer and accountant alike. It can be cheaper to buy a house and demolish it than to go round it.

What would be the public reaction to the idea of trenchers and concreters ploughing their way through fields of crops, village streets, town centres, golf courses, football pitches, tennis courts, sites of special scientific interest, parks and gardens? How many public inquiries would there have to be, how many teams of protesters challenging every yard?

Yours faithfully,  
RICHARD NEED,  
11 Hemmingsford Road, Cheam, Surrey,  
October 19.

### Austrian elections

From Sir Geoffrey Pattie, MP for Chertsey and Walton (Conservative)

Sir, Your report in later editions today on the Austrian elections to the European Parliament quoted "sources in the Freedom Party" as saying that "negotiations have started with British Conservatives".

There have been no such negotiations. The Conservative Party is a staunch ally, through the European Democratic Union, of the Austrian People's Party. The "sources" are spinning mischievous nonsense. The Conservative Party's international office works closely with the People's Party and has nothing to do with the Freedom Party.

I am delighted that the People's Party won their European elections and can confirm your report that the result was "a clear humiliation" of the Social Democrats, whose leader is better at speaking to Labour conferences in Blackpool than to his own voters in Vienna.

Yours etc,  
G. PATTIE  
(Chairman, International Office),  
Conservative Central Office,  
32 Smith Square, Westminster, SW1,  
October 14.

### Conserving antiquity

From Mr Nigel L. Denton

Sir, It is not only modern graffiti that can provide an interesting social comment (letters, October 10, 15, 21).

Maes Howe, a burial mound on mainland Orkney, was built about 5,000 years ago. According to the HMSO guidebook it was invaded by Viking raiders, led by Harald Maddadardson, on January 6, 1153, as first recorded in the *Orkneyinga Saga*.

The Vikings removed the treasure in the tomb but left a remarkable collection of runes describing their visit. These graffiti, as well as being ancient, are today regarded as of much importance as the original structure.

Yours faithfully,  
NIGEL L. DENTON,  
12 Maria Court,  
Southcote Road, Reading, Berkshire.

### Legal anomaly of barred evidence

From the Editor of The Mail on Sunday

Sir, May I remind Mr William Clegg, QC, Colin Stagg's defence counsel, that *The Mail on Sunday* in presenting the evidence which the Old Bailey never heard against Mr Stagg, made no mention of the psychological profile to which Mr Clegg refers in his letter of October 22. That is not the issue. Nor do I agree with Mr Clegg's contention that the psychological profile was the basis of the Crown's case against Mr Stagg.

It was the police's contention that, during the undercover operation, Mr Stagg displayed detailed knowledge about the killing that was known only to the police. Mr Clegg states that this contention "could have been proved false" — in which case *The Mail on Sunday* stands by its argument that a jury should have had the opportunity to consider that proof as well as the rest of the evidence against Mr Stagg and his defence.

This did not happen, and the outcome of the trial was unsatisfactory for all concerned — for Mr Stagg himself because, as he often complains, he is bounded by people who think him guilty; for Rachel Nickell's family, because, with the police investigation virtually halted, they live with the bitter truth that her killer, whoever that may be, may never be brought to justice.

It seems, apparently, that it is politically and legally correct for newspapers to involve themselves in investigations where, for instance, the Guildford Four, or the Birmingham Six, were found guilty, and for those decisions to be reversed; but not to look into evidence against an accused, subsequently acquitted, which was never presented to a jury.

There is an anomaly in English law here which should be addressed: if Justice, which at present has the legal eye peeping out from her blindfold, is to be truly served.

Yours faithfully,  
JONATHAN HOLBOROW,  
Editor, *The Mail on Sunday*,  
Northcliffe House,  
2 Derry Street, Kensington, W8,  
October 22.

### Cheltenham College

From Mr E. J. Little

Sir, Mr and Mrs Keith Douglas (letter, October 22), who champion the cause of Peter Wilkes, the unfortunate headmaster of Cheltenham College, somewhat trivialise the question of his departure by comparing the post with that of a football club manager. The other side of the coin should also be examined.

Excellent schoolmaster that he is, Mr Wilkes had managed to lose the respect and support of too many members of his own staff, his pupils, his parents and the council for him to continue.

As an Old Cheltonian and as a parent of a pupil who left last term, I feel that the council should be congratulated on taking a tough but honest decision which they knew would be unpopular with some people. A significant number of us believe them to be on the right track.

Yours etc,  
EDWARD LITTLE,  
The Brow,  
Cricklade, Wiltshire,  
October 23.

### Power accessory

From Mr Gary Rawlinson

Sir, In warning your readers of the dangers of the various bags carried by his fellow travellers on the way to work, "A nation clobbered by bag and baggage", October 17, Derwent May overlooks the unseen danger in the sports holdall carried by running enthusiasts on their way home.

In the morning it contains nothing more harmful than a freshly-laundried set of running gear. Come the evening, not necessarily that same day, the contents of the bag can put the skunk to shame.

Yours faithfully,  
GARY RAWLINSON,  
3 Hill House Close,  
Turners Hill, West Sussex,  
October 17.

From Mrs Doreen Davis

Sir, I can tell Derwent May what is in those women's bags: no, not cosmetics and complementary pills; but pipe, tobacco, reading-glasses, on occasion tickets and passports, and any other item that leaves their husbands blithely unencumbered.

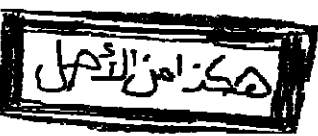
Yours sincerely,  
DOREEN DAVIS,  
Omega Cottage, High Street,  
Silverton, Exeter, Devon,  
October 17.

### It shall come to pass

From Mr George Bull

Sir, Is the prediction today at the end of William Rees-Mogg's scintillating criticism of the Catholic bishops — "Simon Jenkins will appear tomorrow — also part of the religious debate?"

Yours faithfully,  
GEORGE BULL,  
19 Hugh Street, SW1,  
October 23.

















# THE TIMES

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TODAY



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BUSINESS EDITOR Lindsay Cook

THURSDAY OCTOBER 24 1996

## Cowie has Army's Challenger 2 tanks in its sights

By PAUL DURMAN  
THE money men are preparing to make an assault on Britain's battle tanks. Cowie Group, the Sunderland company best known as a car dealer, yesterday said it would be prepared to set up a £1 billion deal to buy all the Army's Challenger 2 tanks — and to lease them back for a monthly payment.

— a more familiar line of work for Cowie Interleasing, Robert Blower, a company spokesman, said. "It's perfectly possible. We would like to buy them off [the Ministry of Defence]. We could save them a lot of money."

Leasing Challenger 2s, which cost about £2.5 million each, would present some unusual problems. Selling tanks into the second-hand market at the end of the lease could cause a few political difficulties. And if a tank was lost in a battle with

Saddam Hussein, it might be difficult to find someone willing to take repossession. But, a few contractual complexities apart, Cowie insists that its financial engineering skills are just as easily applied to tanks as to any other asset.

Cowie has just done a leasing deal with the MoD covering 1,400 trucks, tractors and other more specialist pieces of material handling equipment. Mr Blower said that although no formal discussions about tanks have taken place, the company has

suggested extending the scope of the leasing deal. "The MoD are looking at all sorts of areas of operations," he said. "There are no 'no-go' areas. If they do want to lease battle tanks, we will be first in the queue."

### BUSINESS TODAY

STOCK MARKET INDICES

FTSE 100	4028.4	(-28.8)
FTSE All share	1978.34	(-12.88)
NASDAQ	21982.15	(-41.53)
New York		
Dow Jones	5996.08	(-68.71)
S&P Composite	701.14	(-5.43)

US RATE

Federal Funds	5 1/4%	(5 1/4%)
Long Bond	8 7/8%	(8 7/8%)
Yield	6.87%	(6.86%)

LONDON MONEY

3-month Interbank	6%	(6%)
Life long gilt	10 1/2%	(11 1/4%)
Future (Dec)		

STERLING

New York	1.5870*	(1.5882)
London		
\$	1.5864	(1.5875)
DM	2.4319	(2.4320)
FF	6.2211	(6.2275)
Sfr	2.0028	(2.0010)
Yen	112.50*	(112.30)
£ Index	88.6	(89.3)

US \$ DOLLAR

London		
DM	1.5227*	(1.5255)
FF	5.1455*	(5.1505)
Sfr	1.2547*	(1.2530)
Yen	112.50*	(112.30)
£ Index	87.4	(87.6)

Tokyo close Yen 112.74

NORTH SEA OIL

Brent 15-day (Jan)	\$23.50	(\$24.00)
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GOLD

London close	\$363.55	(\$363.65)
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\* denotes midday trading price

## Consumers still resisting stores' attempts to lift prices

### Rate rise less likely as retail sales slip

By JANET BUSH, ECONOMICS CORRESPONDENT

HIGH STREET sales slipped back in September amid evidence that consumers are resisting retailers' attempts to increase prices. Sales volumes fell by 0.3 per cent, compared with a 0.9 per cent increase in August, revised down from the 1 per cent reported previously, according to the Office for National Statistics.

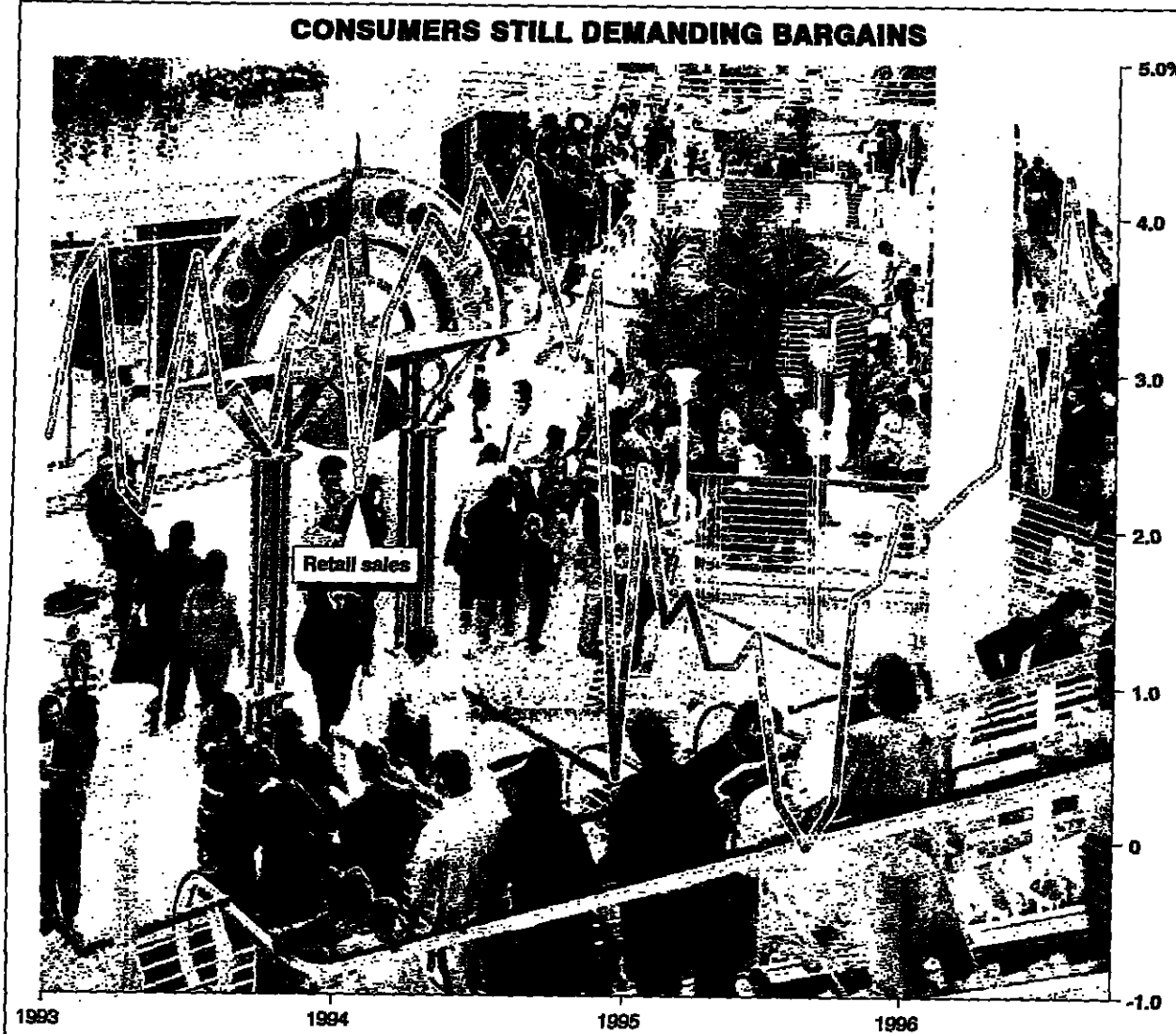
Against a year ago, retail sales were up 3.5 per cent, compared with the year-on-year rise recorded in August of 4.3 per cent.

Angela Knight, Economic Secretary to the Treasury, gave the figures a positive interpretation, saying: "The fall in September sales followed a rise in August, and the two months together suggest conditions in the high street are budding."

The latest figures suggest that, although consumer spending is on a steadily rising trend, there are few signs of a 1980s-style consumer boom and that there is considerable resistance to higher prices.

This combination is very good news for the Government and appears to strengthen the Chancellor's resistance to Bank of England calls for higher interest rates. Kenneth Clarke meets Eddie George, Governor of the Bank, next week for their monthly discussion on monetary policy.

Alex Garrard, of UBS, said that the retail sales news appeared to confirm the message of this week's industrial trends survey from the Confederation of British Industry, which was suggestive of a benign inflation environment and a less than explosive recovery in manufacturing.



footwear sales rose by a hefty 2.5 per cent, and retailers were clearly confident enough to try to raise their margins the following month. However, as David Bloom, of HSBC James Capel put it, consumers continue to operate guerrilla tactics, refusing to buy at higher prices. "This type of price behaviour bodes well for the future," he said.

Household goods sales, which jumped by 2.6 per cent

in August, fell back by 0.5 per cent. However, this category of sales is still 6.4 per cent higher than a year ago. This is about twice as fast as retail sales growth overall, a mark of the recovery in the housing market this year.

Food sales were up 0.5 per cent in September and 0.9 per cent higher than a year ago.

Government bonds rallied in response to the sales figures, which were weaker than the 0.1 per cent decline that the City had expected. Short sterling futures, a good guide to interest rate expectations, also rallied as the chance of a rate rise receded somewhat. However, gilts then fell, along with other European bond markets, after Omar Issing, chief economist of the Bundesbank, ruled out any further German rate cuts.

Pennington, page 27

### Harding's death may force float

By JASON NISSE

BENFIELD GROUP may be forced into a stock market flotation as a result of the death of Matthew Harding, its chairman. Such a move could value the insurance group as high as £700 million.

The flotation could be prompted by the executors of Mr Harding's will, who will control his 33 per cent stake and may look to realise it in the interests of Mr Harding's beneficiaries.

An adviser to Mr Harding said that Benfield had been considering whether it might want to float in the next couple of years and that the possible sale of the stake could hasten the process.

Benfield has three businesses — reinsurance broking, of which Mr Harding was one of 18 directors; underwriting; and financial services, which has a holding in the Benfield & Rea Investment Trust. George Soros, the investor, yesterday declared a 3.7 per cent stake in Benfield & Rea.

Tony Burridge, another Benfield executive, also died in the helicopter accident.

A spokesman for the company said the directors were too shocked by the news to consider the group's future.

Chelsea tribute, page 1  
Obituary, page 23

## Loss of Bill may spur more societies to aim for market

By SARA MCCONNELL

MORE building societies are expected to head for the stock market after a long awaited Building Societies Bill was dropped from the Queen's Speech yesterday.

The Bill would have freed mutual building societies from much of the red tape constraining their activities. But now even keen supporters of mutualism may choose to convert to public companies.

Angela Knight, the Economic Secretary, vowed last night to publish a revised Bill incorporating changes made in consultation with the industry and regulators. She is expected to negotiate with parliamentary managers for a half-day debate in an attempt to

push the Bill through. In a speech to intermediary mortgage lenders last night she said such a move would "only be possible if the Bill in its revised form is seen to be uncontroversial and, of course, if that window appears".

The Treasury said that there was a real danger that more societies would convert to public companies if the legislative framework governing them was not changed.

Building societies want the revised Bill to include measures to protect mutuals from predatory takeover bids from newly converted societies in the early years.

They also want a clearer definition of the "two-year" rule under which only members of two years' standing can receive cash bonuses or variable distributions of shares on a takeover.

The Halifax Building Society will today outline further details of its flotation plans through the Stock Exchange, including the timetable for conversion and share dealing.

Members will be contacted next month and told what the balances of their accounts were on November 1994, the first of two qualifying dates for calculating bonus payouts. The second date will be the date of the special meeting.

Pennington, page 27  
Conversion path, page 29

## Ofgas investigates the Goldfish card

By CAROLINE MERRELL

OFGAS, the gas regulator, has started an investigation into Goldfish, the British Gas credit card launched in a blaze of publicity last month.

The regulator says it has received a number of complaints about the card, which have been passed on to British Gas. Ofgas plans to issue a consultation document on the issue in a few days, seeking views from interested parties. Any investigation by the regulator could eventually lead to its withdrawal.

A British Gas spokesman said: "It really is not a loyalty card. It is offered by a company outside British Gas. We are only a partner in that company. We are not using the British Gas database to get

people to sign up. Customers are not sent details of the card with their gas bill."

Goldfish is currently being marketed through a £10 million advertising campaign featuring Billy Connolly.

Goldbrand Development, the joint venture company offering the card, is adamant that the Goldfish does not come under Ofgas control. Martin Rutland, Goldbrand Development spokesman, said: "The company is partly owned by HFC Bank, which is regulated by the Bank of England."

Cardholders can build up points which can be used to get a discount on their gas bills. One pound spent on the card equals one point, 100 points will give £1 off the bill.

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## Berlusconi bid to block SFO transfer fails

By PAUL DURMAN

SILVIO BERLUSCONI, the former Italian Prime Minister who is accused of taking part in a £51 million fraud, yesterday failed to block the transfer to Italy of documents seized from a London office.

The Serious Fraud Office, which took possession of 15 bundles of documents on behalf of the Italian authorities, hopes to be able to despatch tomorrow any papers relevant to the inquiry in Italy. Lawyers acting for Signor Berlusconi and his company Fininvest will also make a last-ditch attempt tomorrow to mount an appeal to the House of Lords.

The papers came from the Regent Street offices of CMM Corporate Services, a company believed to have key information about the illegal political payments Signor Berlusconi is alleged to have made using Fininvest's money. CMM is ultimately owned by the Union Bank of Switzerland.

Signor Berlusconi and Fininvest, which has wide interests in television and publishing, had sought to challenge the legitimacy of the SFO search of CMM's premises and of its intention to hand over information. If successful, this would have been a serious blow to the SFO's "section 2" powers that allow it to assist in the investigation of overseas fraud cases.

Lord Justice Simon Brown, sitting with Mr Justice Gage, rejected the suggestion that the SFO raid amounted

to a fishing expedition, saying that the request for help from the Italian authorities was "as precise and focused as fit could sensibly be".

Signor Berlusconi's lawyer asked the judges to certify that their rulings constituted points of law of general public importance — a move that would open the way to an appeal.

But although he granted tomorrow's hearing, Lord Justice Brown made it clear that he had little sympathy for this argument.

# Construction recovery signalled by surveyors

BY CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

CONSTRUCTION has shifted out of recession and is showing a solid recovery, according to a survey of construction surveyors in the sector.

Trends seen in the workloads of surveyors are taken as reliable indicators of future patterns because they are involved in the initial stages of construction projects.

However, the third-quarter survey from the Royal Institution of Chartered Surveyors is tempered with caution. The report comments on the 1.4 per cent increase in workload over the previous three months.

The long-awaited recovery remains on course, but nobody is predicting a boom, and the mood is sober. The year-on-year figure is static.

The recovery taking shape has so far been fuelled largely by a substantial upturn in private commercial property which has been triggered by the retail market, the growth in the leisure industry and an increased demand for higher quality office space.

Hampering a further improvement in construction recovery is a still-sluggish housing market where slow house-building has been impeded by some planning hold-ups. The report also highlights low government spending and the "lacklustre performance" of the Private Finance Initiative as putting a further brake on construction.

Richard Houghton, RICS construction industry spokesman, said: "There can be little doubt that growth is being powered mainly by the private sector. When a number of building projects, both large and small, get under way next year, and Millennium Fund and other National Lottery initiatives start to come on stream, new orders and employment levels will increase."

Geographically, the picture is mixed. The greatest increase in workload came in the Midlands and East Anglia at 5.5 per cent, while London and the South East experienced a 1.1 per cent rise. It fell 0.3 per cent in the North of England, 1 per cent in Wales and the South West, and 1.8 per cent in Northern Ireland. Scotland saw a decrease of 4.5 per cent as local government reorganisation led to delays in local authority building projects.

Workload expectations from chartered surveyors for next year are static, with a net balance of 30 per cent predicting extra orders, a figure unchanged from the previous quarter. The net balance of those expecting increased employment levels is also unchanged at 13 per cent.

Employment forecasts have been curbed by uncertainty among smaller organisations and a rationalisation in bigger companies, the report said.

The British construction industry is unlikely to see notable real growth over the next five years and continues to underperform the industrial average for return on capital, according to a survey published yesterday by The Ciba Group, the consultancy.

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A National Lottery midweek draw is opposed by bookmakers, who say it will further tilt the playing field against them

## NatWest targets high-flyers with Advantage account

BY MARIANNE CURPHEY

NATWEST is to launch a new "top tier" bank account for high-flyers who are prepared to pay £150 a year to enjoy the services of a personal bank manager, free travel insurance, discounted meals and theatre tickets.

The bank denied that this signalled the end of free personal banking.

The new current account, to be known as NatWest Advantage Banking Premier, is aimed at new and existing customers. Some of NatWest's

6.5 million existing customers will be encouraged to switch from the bank's current charged-for account, the £85-a-year Gold Plus service, into Advantage. Gold Plus currently has more than 100,000 subscribers, all of whom earn more than £25,000 a year.

The new service is similar in concept to the Barclays Additions account. For a charge of £60 a year, Barclays customers receive free overdraft, life cover, and medical insurance. Midland Bank and Abbey

National have said they have no plans for make charges on accounts in credit.

David McLean, head of personal banking services, said: "In all walks of life people are proving more selective about the services they want. Many of our customers lead extremely busy lives, which this programme recognises by providing a menu of benefits which can be accessed through a telephone call so avoiding the need to shop around."

## Extra lottery spurs plea for duty cut

BY SARAH CUNNINGHAM

THE BETTING industry is to step up its demands for a cut in duty on gambling after yesterday's decision by Oflot, the National Lottery regulator, to allow the launch of a £4 million midweek draw.

Tom Kelly, director-general of the Betting Office Licensees Association (Bola), which represents more than half of bookmakers, including big groups such as Ladbrokes, said the midweek draw, likely to start next year, was "very unwelcome". He added: "The industry has already been badly affected by the weekly lottery."

Industry profits fell by 32 per cent last year, he said, and nearly 500 bookmakers shut, taking 3,400 jobs with them.

William Hill, the bookmaker, said: "We don't have a level playing field and [a midweek lottery] tilts the playing field even more in their favour."

The Chancellor last year announced a 1 per cent cut in betting duty, to 5.75 per cent, in recognition that the lottery had hit the betting industry. Until yesterday, Bola had intended to seek a further 1.25 per cent cut in next month's Budget, but it is now likely to seek a bigger cut, it said.

## Concern as offshore accidents increase

THE number of serious accidents and fatalities offshore has increased in the past year, highlighting the need for further improvements in safety ordered after the Piper Alpha disaster. New Health and Safety Executive figures show that North Sea accidents increased from around 150 per 100,000 oil workers in 1994-95 to 162 in the past year. Roderick Allison, chief executive of the HSE Offshore Safety Division, said the number of deaths had fallen significantly since the early 1990s, reflecting safety measures in the wake of the Piper Alpha disaster. He said: "The 1995-96 figures show an upturn. That gives us food for thought — we are going to have to make further progress. There is further work to do."

The HSE's annual report, published yesterday, says the total number of workplace deaths was unchanged at 272 in the latest year. The fatal accident rate for the total workforce remains at 1.1 per 100,000 workers, while the fatal accident rate for the self-employed has fallen substantially to 1.6 per 100,000 workers from 2.5 previously. Fatal injuries and major ones, such as amputations or severe burns, have fallen to their lowest level in five years.

## Sunbeam fades to red

SUNBEAM CORP, the ailing American domestic appliance manufacturer, reported a loss for the third quarter, its first downturn since going public in 1992, and announced restructuring plans. The company lost \$28.7 million (\$15 million profit) in the three months to the end of September. Sales were down 2 per cent, at \$244.9 million. Sunbeam, which has a workforce of 12,000 and annual sales of \$1 billion, has seen its profits dwindle in recent years because of shrinking profit margins and high costs.

## BA's French partner

BRITISH AIRWAYS has joined forces with Groupe Rivaud, the French bank, to bid for Air Liberté, the ailing regional airline. If the bid succeeds, BA would have a 70 per cent holding and Rivaud 30 per cent. Rivaud, headed by industrialist Vincent Bollore, had originally been part of a consortium of travel groups Nouvelles Frontières, Club Méditerranée and airline Royal Air Maroc. Air Liberté went into administration on September 26 with debts in the region of £1.5 billion.

## Smiths buys Leland

SMITHS INDUSTRIES is acquiring Leland Electrosystems, an American manufacturer of in-flight power generators, for \$30 million, strengthening its position in the supply of aircraft avionics. The acquisition is the largest by Smiths in the avionics sector since 1987 and will allow the company to offer power generation equipment and its own aircraft computer systems. Leland's devices are used in more than 12,000 aircraft from the Stealth bomber to the Boeing 777. It has an order for 1,000 of the new US Air Force's F18 fighter.

## US chiefs paid most

BRITISH chief executives earn an average £319,604 a year, placing the UK tenth out of 22 countries in a worldwide pay survey by Towers Perrin, the human resources consultancy. Those in France and Germany receive £380,903 and £321,414 respectively. US chief executives are still the best paid, with total remuneration of £566,212. The survey claims UK chief executives, though not the highest paid, have the highest purchasing power in Europe. However, European purchasing power has fallen sharply in comparison with America since 1995.

### TOURIST RATES

	Bank Buys	Bank Sells
Australia \$	2.10	1.94
Austria Sch	16.13	16.85
Belgium Fr	53.15	48.85
Canada C\$	1.26	1.05
Cyprus Cyp£	0.7742	0.7192
Denmark Kr	9.30	9.10
Finland Mk	7.98	7.59
France Fr	6.84	7.59
Germany Dm	2.589	2.379
Greece Dr	327	372
Hong Kong \$	12.98	11.88
Iceland	115	95
Ireland P£	1.05	0.93
Israel Shk	5.48	4.83
Italy Lit	2543	2263
Japan Yen	194.10	173.10
Malta	0.616	0.581
Netherlands Gld	2.93	2.65
New Zealand \$	2.40	2.18
Norway Kr	10.88	10.08
Portugal Esc	205.50	239.00
S Africa Rd	7.87	7.07
Spain Pta	211.50	195.50
Sweden Kr	11.13	10.55
Switzerland Fr	2.134	1.954
Turkey Lira	15900	14700
USA \$	1.885	1.865

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□ PolyGram and EMI need more heroes □ Retail sales no threat to inflation □ NatWest's not so novel idea

# Music industry hits a flat note

□ A CERTAIN record company once took over the career of a struggling singer, whose records were respectfully reviewed in all the right places before selling a few thousand copies at best. The artist was known in the trade to be barking mad, but he had good looks and a cult following.

The label sent him around the country on tour for a few years, put him on the front of the pop mags and released five or six albums, each to widespread indifference. By the time that executives lost patience, the star, by now visibly crazier, had cost the record company, in studio time, promotion, the lot, upwards of a million pounds.

The economics of music, particularly at the pop end, make the National Lottery seem a sensible investment prospect. The safest tactic is an investment trust approach, putting as many untried artists under one roof as possible, even if the risk attaching to each individually might make even Peter Young blench.

This is why there are five big record conglomerates now, making their living mainly from a clutch of megastars apiece, from their back catalogues, and from buying up small independent companies that are better at spotting new talent.

One of those conglomerates is PolyGram, which upset a second, Britain's EMI, yesterday

with a profits warning. PolyGram's message was that people are not spending as much as they used to. Music companies previously tended to disguise such downturns by blaming erratic deliveries from their best-sellers - X fell off his motorbike, Y's album missed the financial year end. Industry figures show slight rises in sales globally during the first half of the year, but well off the massive increases enjoyed in 1995 and, particularly, 1994. Several leisure analysts in the City have been wondering whether the pre-Christmas rush, which accounts for 40 per cent of total music sales, might not be too hot.

EMI shares have been subsidising since the company was demerged from Thorn two months ago. The demerger was seen as a way of allowing EMI to be bid for, and the absence of action has discouraged speculators. Any slowdown in music sales would have a limited impact, perversely, because as much as half EMI profits come from publishing rights: should you wish to use, as many have,

the Troggs' *Wild Thing* in a ruck-off. This might make the company more attractive to a predator whose profits were based purely on recorded music.

There are any number of reasons for sluggish sales. Back catalogue has largely been recycled onto compact disc, and there are few hot properties left in the vaults. There is the rise of computer games, CD-Roms and other diversions. In recent years, no world conquerors have emerged in the Dire Straits or Michael Jackson league. It could even have something to do with the quality of the product.

**Ideal combination for the Chancellor**

□ ECONOMISTS have firmly identified a hitherto unsuspected pattern in consumer spending. Put prices up, and people stay out of the shops. Odd examples of this link had been rumoured as the economy has recovered over the past couple of years. However, yesterday's retail sales figures clinched it, and who

knows, Nobel Prizes may now beckon. September saw the fastest rise in prices of clothing and footwear since records began in 1947; it also saw a 3 per cent decline in sales of such items.

Retailers had been desperate to escape the permanent sale culture that has become a feature on the high street. August is a sales month; people are either on holiday or too hot to shop, and need tempting. In September, the stores saw their chance. It is too early to make firm deductions on monthly statistics; clothing is a deferred purchase, and it will take a few more weeks or months of the war of nerves between shopper and shop assistant before we can tell which has won. In any event, prices for cloth-

ing and footwear are still lower than they were a year ago. There was nothing to threaten the outlook on inflation in the retail sales figures, the industrial trends survey published by the CBI on Tuesday or the retail price index numbers that were issued last week. Food sales were rising at their highest rate since January, but this is itself trend towards lower food prices.

The housing recovery may be patchy, but it is still having its impact on negative equity. There are windfalls from building societies and the Norwich Union still to come to boost spending. It looks like the ideal combination, for the Chancellor, if not for the shopkeeper, sustainable retail sales growth of approaching 4 per cent, but a lid on prices, the rise in the value of sterling keeping industry's costs low. The odds must be lengthening fast on a base rate rise ahead of the election next spring.

The chances of one after next Wednesday's meeting between the Chancellor and the Governor of the Bank of England must be negligible - far worse than the

odds on the Conservatives winning the next election, at least on the evidence from the latest opinion polls.

**Free banking not dead but moribund**

□ NATWEST has launched a super new product, an account which you put your money into every month, withdraw it as and when you need it, and which comes with the added benefit of ... a BANK MANAGER!

Many of NatWest's customers probably already think they have a bank manager thrown in with their existing accounts, provided free of charge unlike the new service, which costs £150 a year. (Incidentally, if you think banking is free, try this simple sum. Halve your regular salary cheque; this is the average amount in your account over the month, if you spend as you earn. Work out how much this is worth invested on the money markets at the 6 per cent plus the bank gets. This is the bank's take ahead of any charges.)

The NatWest's admission that

easy access to a personal bank manager will in future be a luxury makes its own point. Most day-to-day decisions are now made for customers by inexperienced staff applying set guidelines by rote. Free banking is not dead; accounts will continue to be operated for free, but the standard of service will fall. The new account with its tacky "lifestyle benefits" merely recalls the last time the banks tried to segment the market, those dreary yuppie accounts with names like Vector that died the death with the end of the 1980s.

It does offer one "financial benefit": special access to NatWest's financial service advisers who will sell you Peps and insurance. Such access is already quite easy; getting rid of them may prove more difficult.

**Knock-on effect**

□ A THOUGHT occurs. By necessity left out of the Queen's Speech yesterday was the Building Societies Bill, which would have given societies freer access to capital markets. The Bill is now all but dead, and a few societies may, as a result, choose to convert into plc's, or be bought by the same, or putting a few bob, potentially, into the hands of hundreds of thousands more people, which would do no harm to the "feel-good" factor.

## WPP rise fails to prevent loss of Sorrell bonus

By FRASER NELSON

THE worldwide advance of WPP, the advertising company, continued in the third quarter of the year as a series of new orders helped the company's revenues advance 11 per cent to £1.24 billion over the nine months to September 30.

That result still left some of the more optimistic investors disappointed and shares in the group fell 8p yesterday, closing at 130p. One analyst downgraded its year-end profit forecast, from £155 million to £150 million.

The fall in the share price wiped out prospects of an early Christmas bonus for Martin Sorrell, the chief executive of WPP. Under his share incentive scheme, he was on course to pick up 1.6 million free shares - worth more than

£5 million - on December 20 if their price had stayed above 230p for 60 trading days.

Mr Sorrell, who gained 1.17 million free shares under the first tranche last month, will now not realise his second bonus until next year.

Activities in America contributed most of WPP's sales growth in the third quarter. The figures were boosted by an increase in advertising prices that was riven by the Olympic Games in Atlanta. Mr Sorrell said that the effect of the centennial games had been better than expected, helping sales in North America to grow 16 per cent, to £521 million, in the first nine months of the year.

Analysts forecast that sales will rise further in the run-up to the US presidential election

in response to greater demand for television advertising space.

Sales growth in continental Europe slowed in the third quarter, where revenues were only 2.5 per cent ahead, at £172 million. Trading in the UK was strong, with particular gains in the PR and Market Research division. Sales in Latin America were hit by difficulties in Venezuela, Brazil and Argentina.

The sharpest growth was provided by WPP's specialist communications division, whose sales jumped 11 per cent, to £94.4 million, in the third quarter. The company said this had mainly been helped by the success of its Healthcare operations, with demand especially strong in the UK.

Overall, new billings worth £324 million were won in the quarter, bringing the nine-month total to £911 million. As the company concentrated on organic growth, its debt fell to £164 million, against £240 million last time.

Mr Sorrell said that while the dollar had been strong over the period, this had left a minimal effect on its results. On an underlying basis, revenue growth over the nine months was 9.2 per cent.

Analysts said that if WPP could bring its debt below the £100 million mark, and it stayed off the acquisition trail, then it seemed likely that it would deploy some of its extra liquidity share buy-back or a special dividend.

## CU sales worldwide rise by 23%

FROM RICHARD THOMSON IN NEW YORK

COMMERCIAL Union has announced that its worldwide new business has risen by almost one quarter since the beginning of the year (Marianne Curphey writes).

Internationally, new life, pensions and investment sales grew 23 per cent, to £2.2 billion, over the nine months to September 30. New annual premiums rose 31 per cent, to £193 million; new single premiums were 15 per cent higher, at £1.8 million, and sales of investment products grew from £87 million to £212 million.

In the United Kingdom new annual premiums had increased by 24 per cent, to £36 million, benefiting from higher sales of personal and company pension arrangements, which doubled to £18 million.

## Outsider appointed as their apparent at AT&T

FROM RICHARD THOMSON IN NEW YORK



Allen: successor chosen

AT&T, the US telecommunications company, surprised Wall Street yesterday with the appointment of John Walter as chief executive officer and heir apparent to Robert Allen as chairman.

Mr Walter, who is set to become arguably the most powerful figure in the world telecommunications industry, has no direct experience of working in the sector. He joins from RR Donnelley, the world's largest printing group.

The AT&T appointment was the subject of intense stock market speculation after Alex Mandl unexpectedly resigned from the job in August to run a small start-up wireless company. This left Mr Allen, who is due to retire in 1998, without a successor at a time when the US telecoms industry is in turmoil, with deregulation en-

trainee in 1969 and become chairman in 1989.

He coined the word "re-purposing" to describe the way printing companies can repack and sell information in a variety of ways instead of using it just once. Mr Walter describes Donnelley as a "customer-focused marketing services company".

Deregulation of the phone industry, enabling long distance and local phone companies to compete in each other's markets, generated new competition which is eating into AT&T's traditional customer base. Last month AT&T reported a 12 per cent drop in third-quarter earnings and warned investors that future earnings were likely to be weaker. Some analysts believe that the poor performance may force Mr Allen, 61, to retire early, which would leave Mr Walter in sole charge soon after his arrival.



Ashley Lewis, left, Limelight finance director, with Stephen Cotter, chief executive, yesterday

## Limelight to float with £175m value

By SARAH CUNNINGHAM

SHARES of Limelight will be priced at between 175p and 190p, valuing the manufacturer and retailer of kitchens, bedrooms and bathrooms at between £175 million and £190 million when it floats on the stock market next month.

The company also predicted pro forma profits before exceptional and tax would be not less than £15.8 million for the year to December 31. It will take a one-off charge of just under £1.5 million for the relocation of a factory.

Limelight plans to place the bulk of the shares with institutional investors and offer some shares to staff and to intermediaries. Dealings are due to start on November 15.

Managers own 56 per cent of the company, including the near 50 per cent holding of Stephen Boler, the former chief executive, who can expect to receive around £50 million from the flotation.

## Mystery predator stalks Westpac

FROM RACHEL BRIDGE IN SYDNEY

WESTPAC, the Australian bank, could be the takeover target of a foreign bank after a surprise \$130 million (£65 million) swoop on its preference shares.

More than 15 million Westpac shares were snapped up in a two-day buying spree at a price of \$8.50 each as the mystery raider amassed a 19 per cent interest in the preference stock.

Lloyds TSB, HSBC Holdings and ABN Amro of the Netherlands are all known to be interested in building a presence in the Australian banking sector. National Australia Bank has also indicated interest in bidding for a rival.

The preference share swoop, which was carried out by Bankers Trust Australia, comes as Australia prepares for a shake-up of its banking sector in the wake of a govern-

## PolyGram unveils £60m restructuring

By OLIVER AUGUST

POLYGRAM yesterday raised the prospect of a protracted period of stagnation in the music industry when it announced a £60 million restructuring in response to sluggish market conditions (See Pennington, this page).

PolyGram, whose shares fell by 7 per cent on the Amsterdam bourse, is to axe 400 jobs worldwide. It said that music sales were also lower than expected because of internal problems.

In London, EMI shares closed down 23p, at £12.56, after downgrading of market-makers' forecasts for music companies and record labels.

PolyGram investors must now expect a second year of flat profit growth. In 1995 PolyGram posted a net profit of £300 million, almost unchanged from 1994.

Its restructuring plan will involve the rejuvenation of Motown, the black US pop label acquired in 1993, the classical music division and distribution and marketing operations in Europe.

Analysts said that the sluggish market conditions could mean the PolyGram needed to restructure itself further in order to improve earnings.

Yesterday's announcement came 24 hours ahead of third-quarter results from Philips. PolyGram's parent company, which is also undergoing a difficult restructuring.

However, analysts said they saw no reason to change earnings forecasts for Philips. Analysts expect its third-quarter net profit from ordinary operations to drop to between 240 million guilders (£37 million) and 360 million guilders, far below the equivalent 1995 figure of 539 million guilders.

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## THE TIMES CITY DIARY

### PH factor with clout

**YOU HAVE** waited in line, eaten your fill of Stallone-flavoured nachos, and now is your chance to sign up for a Planet Hollywood Visa credit card. Robert Earl, the multi-millionaire, is offering celebrity groupies the chance to sweep past the patient crowds that queue outside his restaurant chain with one flash of their PH credit card. Every purchase with a PH credit card gives entry to a sweepstake to attend one of the many PH openings around the world.

An autographed T-shirt, priority seating and money off PH merchandise are among the other perks on offer, not to mention the status factor.

### Self-by dates

**PITY THE** strapped-for-cash building societies committed to mutualism. This time it's the turn of the Portman where its savers are being asked to make a donation for the society's calendar in a bid to raise money for the Cancer Research Campaign. Until now, Portman's calendars have been distributed free and such was the demand that heated arguments would frequently break out in branches. Let's see if the demand keeps.

### Southern comfort

**REDUNDANCY** can have positive family benefits, especially if you live in the South, according to a survey by DBM, the outplacement consultancy. It explains, somewhat simplistically, that people in the South commute further to work and therefore have longer working days than their northern counterparts, concluding that "redundancy allows southern executives to see more of their family than when they were working".



### Road aside

**LOFTUS ROAD**, the owners of QPR Football Club and Wasps rugby union team, appears to have scored a bit of an own goal with the prospectus for its £28.8 million AIM flotation. In its haste to beat the whistle, Charles Levison, the acting chief executive, was wrongly quoted as a non-executive director. Peel Hunt, the stockbrokers sponsoring the float, said Mr Levison's elevation to an executive role came too late to be included in the prospectus distributed on Tuesday. Loftus Road had hoped to appoint a full-time chief executive in time for the float. Meanwhile, Levison, deputy chairman of Chrysler, is being paid £100,000 for his advice on the Loftus Road float.

### Software soap

**CITY** insomniacs will be glued to their TV screens next month when the first business soap opera goes on air. The pre-breakfast serial, called *20 Steps to Better Management* — *The Drama*, centres around office politics at Redware, a fast-growing software company recently taken over by Softex, a multinational. It comes as no surprise to hear that the producer, Marc Wright, was at one time busily engaged in writing speeches for Sir Rocco Forte.

MORAG PRESTON



Before and after Big Bang: a key driving force behind the change was London's position in the then emerging electronic global trading market



# Big Bang: the market revolution yet to come

Ten years on, Robert Miller detects signs that the London Stock Exchange has woken up



Sir Nicholas Goodison reached an agreement



Gavin Casey wants a new order-driven system

**MARKET MILESTONES**

October 27, 1986: Big Bang goes live. Face-to-face dealing on the exchange floor effectively ceases.

April 1987: Exchange/Treasury survey shows there are 8.5 million private shareholders in the UK.

June 29, 1987: Record £4.2 billion shares traded in a day.

October 16, 1987: Market trading curtailed after hurricane.

October 19, 1987: Black Monday. FTSE 100 index falls 249 points.

March 1988: Sir Nicholas Goodison announces his intention to stand down as the chairman of the Stock Exchange at the end of the year.

July 1, 1988: Andrew Hugh Smith elected chairman-designate of the exchange.

November 1988: Peter Rawlings takes over as chief executive.

December 1988: Regulatory news service introduced.

October 1991: New board of directors replaces the old-style member firm council.

March 1992: Ending of individual membership.

November 1992: Boris Yeltsin visits the exchange.

March 1993: Taurus settlement and registration system scrapped at cost of at least £70 million.

February 1994: Michael Lawrence appointed chief executive.

July 1994: Rolling settlement introduced.

June 1995: Alternative Investment Market effectively replaces USM.

January 1996: Michael Lawrence dismissed as chief executive.

August 1996: Gavin Casey takes over as chief executive.

millions of pounds spent on computer systems in preparation for the electronic revolution that Big Bang heralded. Much of it was completely useless. And nowhere was money spent on technology to such poor effect over the next few years than by the exchange itself.

It was not until March 1993 that even the exchange abandoned successive computer projects and scrapped the ill-fated Taurus electronic settlement of shares and registra-

tion system, at a cost of at least £70 million. The true cost from 1985/86 to 1993 was probably well over £100 million.

The new world of Big Bang was also supposed to herald a new era of low-cost dealing services for private investors newly attracted to equity investment by privatisation issues such as British Gas and BT. That did happen, but only after a long struggle by firms such as ShareLink and Barclays Stockbrokers.

Big Bang may have been slow

off the mark, but by the next year market forces had taken over and the stock market was being driven ever higher. It came to grief in October 1987 when the stock market crashed and dealing was suspended. At this point the back-office settlement systems broke down, in many cases overwhelmed by paperwork. The authorities were forced to act and stockbroking firms were allowed shorter trading days to sort out the mess.

The exchange was also riven

## Famous names from the past

**THE** famous families that were synonymous with the old-fashioned world of City stockbroking largely disappeared at the time of Big Bang.

Some firms were swallowed up immediately while others survived, on the letterhead at least, for a while longer. In many cases the old partners sold out their family firms for huge sums to the large UK banks and overseas investment houses from the US and France. Later the Swiss and Germans (Morgan Grenfell and Kleinwort Benson) moved

in while the Japanese started from scratch.

Those that have all but disappeared include Wood Mackenzie, now NatWest Markets, and Rowe & Pitman, which has ended up with Swiss Bank Corp, now known as SBC Warburg.

Smith New Court has ended up as Merrill Lynch and a former SNC director, Gavin Casey, became chief executive of the exchange this summer.

Perhaps the most famous grouping of names is now known as BZW, which com-

bines the de Zoets of de Zoet & Bevan and the Durlachers of Wedd Durlacher.

Wedd Durlacher was founded in 1908. In those days the firm not only dealt in rubber shares and plantations but the physical cargo as well. When the First World War ended it had a cargo of what until then had been precious rubber in the Suez Canal en route to Britain. When the steamship docked at Port Said the captain was instructed: "Burn the rubber and keep the coke."

There are now, however, signs that the exchange has woken up to the 1990s and may after all survive to oversee Big Bang Mark 2. This summer Gavin Casey, the new chief executive, unveiled plans for a new order-driven share trading system and a strategy to attract more foreign companies to list in London.

The insider dealing unit has a new artificial intelligence monitoring system and the Alternative Investment Market has proved successful in helping smaller companies to raise much-needed capital.

Big Bang did not in the end herald the revolution that many predicted. That will come in the next ten years.

## Speech's silence gives societies impetus along conversion path

The financial services sector is facing a spell of further upheaval, say Sara McConnell and Marianne Curphey

**B**y this time next year the country may have at least four more banks. The Halifax, Woolwich, Alliance & Leicester and Northern Rock. The failure of the Building Societies Bill to make it into the Queen's Speech could well push more societies the same way. The Bill would have freed societies from much of the red tape still constraining their business activities and would arguably have been an incentive to stay mutual.

Today, the Halifax takes a step further towards bank status with a Stock Exchange announcement setting out further details of its conversion timetable and share dealing arrangements. But societies are realising that conversion is not an easy path, though the eventual rewards, particularly for the board, can be great.

Halifax members are increasingly impatient with the long wait for conversion and bonus payouts. It is 18 months since the society took over the Leeds Permanent as a first stage in the conversion process. Originally, the society aimed to float early in 1997, but nothing will happen until the summer.

The society fiercely denies reports that the conversion may not go ahead. It also denied analysts' suggestions of internal "jitters" over the restructuring needed to accommodate recent acquisitions.

David Gilchrist, general manager, says the society may have "given the wrong impression" by not wanting to be too specific about dates. The society will tell the Exchange that it will publish its transfer document in January. The special general meeting at which members must vote will be in late February. Members will be contacted next month to be told how much they had in their accounts in November 1994, the first of the two qualifying dates. The second will be the date of the special meeting.

What will be missing from the announcement, however, is any information on the size of bonuses. This will be announced early next year. If the conversion goes ahead, the Halifax will be a bank worth an estimated £9 billion. The society's size makes the prospect of a takeover bid in the run-up to conversion less likely.

The other three prospective banks could also be takeover targets when they publish their transfer documents early next year. The Prudential, Britain's largest insurer, is understood to be looking closely at the possibility of taking over a building society. Rob Thomas, building society analyst at UBS, says: "The Pru would be a good fit. The management seem to have come to the conclusion that a branch network is necessary." However, the Prudential is known to regret its earlier frankness about its ambitions to buy a building society "with 400 branches".

Other companies looking to expand are BAT Financial Services, the National Australia Bank, which would like to make an acquisition in the UK, and a number of German banks, which have been watching the UK market with interest.

because it led the market to expect an announcement within months.

Other banks understood to be interested include the Royal Bank of Scotland and NatWest.

The Woolwich could have weakened its defences against a prospective takeover, after the resignation of Peter Robinson, chief executive, in inauspicious circumstances at the start of the year. Mr Thomas suggests, however, is lying so low that it will give no information beyond saying members will be contacted next month.

The Northern Rock, the self-confessed surprise converter of the year, would be a more straightforward takeover. Its transfer document will be out next spring with conversion planned towards the end of the year.

The problem with any attempted hostile takeover, however, would be that the only way a predator can technically contact members is through the board.

which has so far seen the purchase of Provident Mutual by General Accident, the merger of Sun Alliance and Royal Insurance, and the merger of United Friendly and Refuge Assurance. No one in the sector believes that the wave of consolidation is over. Banks and building societies have been steadily encroaching on each other's territory, and both are keen to build up their presence in the lucrative arena of asset management.

While all insurance companies, whatever their size, have been forced to consider whether mergers or takeovers would be in the interest of their shareholders and policyholders, a handful of names keep being tipped as the ones to watch.

These are Legal & General, rumoured to have been stalked by NatWest, and Friends Provident, the life mutual, which can survive alone while equity markets are good but will be forced to look for a parent if times become hard.

Another is Guardian Royal Exchange, regarded as the weak man of the composite sector. Insurance brokers would like to absorb its general insurance business and sell its life company, while life companies would probably wish to do the opposite.

Other companies looking to expand are BAT Financial Services, the National Australia Bank, which would like to make an acquisition in the UK, and a number of German banks, which have been watching the UK market with interest.

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## American healthfood chain sets up in UK

By Sarah Cunningham

GENERAL Nutrition Centres, a US healthfood chain, opens its first British store today and plans to have a further 15 stores here by the end of February.

Its first shop is in Bristol. It will then open in Oxford at the end of this month, followed by Gloucester and Bath. Other stores will then open in the Midlands and the South West.

The company plans to invest £11 million on rental and shop fitting next year. The stores will sell vitamins, healthfoods and herbal remedies and will compete with Holland & Barrett, which is owned by Lloyds Chemists.

Holland & Barrett is expected to come up for sale if Lloyds is taken over by Unilever, which has made a bid, or Gehe, of Germany, which is expected to bid soon.

The American company has 2,651 stores in 16 countries. It is using the Health & Diet Group, a British firm acquired last year, to launch in the UK. In the long run, it hopes to open up to 400 stores here.

Greg Horn, senior vice-president of sales and marketing of the Pittsburgh-based General Nutrition Centres, said he saw great potential in the UK market.

## Management blamed for increase in receiverships

By Noel Fung

DESPITE a slight increase in the number of receiverships in the third quarter, strong evidence pointed to renewed consumer confidence in the economy, a KPMG report said.

Between July and September, KPMG recorded 347 receiverships, up by 13, or 3.9 per cent, compared with last quarter's 334, which was the lowest figure in five years. Receivership numbers in the second quarter fell 24 per cent compared with the first quarter and 26 per cent on a year-on-year basis.

KPMG dispelled fear that the slight rebound marked the start of an upward trend. The year-on-year figure was down 16.6 per cent as there were 416 receiverships in the same period last year.

"Compared with the early 1990s we are now seeing a very much lower number of receiverships," said Mike Wheeler, KPMG's head of corporate recovery. The failures were not casualties of economic recession, said KPMG. Instead, they were results of poor management, inadequate funding and resources, and an inability to adapt to market changes.

"I do not believe that the increases seen over the past

three months can be attributed to any fundamental weaknesses in the economy," Mr Wheeler said.

The total number of receiverships in 1995 reached 1,781. So far this year, only 1,125 have been recorded. In the third quarter, all regions except the South East and South Wales experienced increases. A year-on-year comparison shows that corporate failures fell in all regions except the Midlands and the North East.

A sectoral breakdown revealed that manufacturers accounted for the bulk of receiverships (77 per cent), followed by retailers (15 per cent), and construction businesses (14 per cent).

Mr Wheeler said companies should capitalise on the favourable operating environment "if they are to survive and grow".

Among all the regions recording a rise in the number of receiverships, the North East and Scotland showed the largest percentage increases, 42.5 per cent and 46 per cent respectively. Yet, in actual terms, the increase was only from 40 to 57 in the North East and from 15 to 22 in Scotland. "They are fairly small companies," a KPMG spokesman said.



## Premier Oil pressed to raise Discovery bid

FROM RACHEL BRIDGE IN SYDNEY

PREMIER OIL, the UK oil and gas company, is under pressure to increase its \$492 million takeover bid for Australia's Discovery Petroleum after Oil Search, a company with interests in Papua New Guinea, raised the prospect of making a rival offer.

Oil Search acquired its interest at 75 cents a share four days after Premier tabled a 70 cents-a-share offer for Discovery.

Its board rejected the offer, which then represented a 23 per cent premium to the market price, as "inadequate". Premier Oil is buying for \$33 million the outstanding shares of Idemitsu Pakistan Oil Exploration Company, whose sole asset is a 15.79 per cent interest in the Kadanwari gasfield, whose output is used for power generation in Karachi.

In tune: Simon Freedman, founder and executive chairman of Sound & Vision, the retailer of Bang & Olufsen audio, video and television equipment, is proposing to raise £960,000 through a share offer. The company's shares are being offered at 75p each, valuing the company at about £3.3 million. Dealings on the Oxfex market are expected to begin on December 6. The company has three showrooms in London's West End: Cheltenham and Reading and intends to establish a chain of 23 showrooms in the United Kingdom by the end of 1998, with a further ten outlets added by the turn of the century.

## BUSINESS ROUNDUP

### Irish Permanent in £10m deal for CHL

IRISH PERMANENT, the biggest mortgage lender in the Republic of Ireland, has extended its British operations by acquiring Capital Home Loans (CHL), the London-based subsidiary of Credit Foncier, the French bank. The Irish company paid £10.1 million for the net assets of CHL, plus a premium of 1.25 per cent or £2.5 million for its mortgage portfolio of £200 million, giving a total of £12.6 million. Capital Home Loans is a first mortgage lender and markets its products through a network of intermediaries in England and Wales.

Roy Douglas, Irish Permanent's chief executive, said the company plans to amalgamate CHL with its existing, small branch network in London. Irish Permanent's current mortgage portfolio in Britain stands at around £75 million. "The combination of Irish Permanent's product development expertise together with CHL's experience in the UK broker market and its distribution capabilities will position Irish Permanent to capitalise on the improving UK mortgage market," he said.

### Ocean Wilsons declines

OCEAN WILSONS HOLDINGS, the shipping and port services company registered in Bermuda, suffered a decline in pre-tax profits to £917,000 from £4 million in the six months to June 30. The interim dividend is held at 1p a share, payable from earnings that fell to 1.73p a share from 6.14p. The shares fell 6p to 76½p yesterday. The fall in profits reflected difficult trading conditions in Brazil, where most of the company's assets are held. Turnover was almost unchanged at £38.4 million (£38.7 million) but operating profits fell to £969,000 from £3.6 million.

### Ross Group plan pays

ROSS GROUP, the diversified industrial group, said it was reaping significant benefits from a restructuring initiated in April 1995. Yesterday the company reported an operating profit of £454,000 from continuing businesses for the half-year to June 30, up from £209,000 previously. Borrowings were reduced to £7.8 million from £12.6 million and the interest charge fell to £432,000 from £720,000. At the pre-tax level losses were reduced to £292,000 from £2.4 million. The loss per share was 0.25p (1.72p loss). There is again no interim dividend.

### Oil earnings lift DuPont

DUPONT CO, America's biggest chemical company, enjoyed a 17 per cent rise in third-quarter earnings, to \$898 million from \$769 million, on the strength of its oil business and solid sales of some chemicals. Earnings at DuPont's Conoco oil subsidiary were especially strong, boosted by higher crude oil prices and increased production. Operating profits rose 47 per cent to the highest level since the first quarter of 1991, the company said. Oil prices averaged \$19.85 a barrel in the quarter, up 25 per cent. Domestic natural gas prices rose 45 per cent.

### Mondas heads for AIM

MONDAS, the computer software company, is set to join the Alternative Investment Market, capitalised at £4.52 million. The company was formed in 1991 by Tim Simon, formerly head of Quotient. Mondas is raising £909,000, through a placing of 2 million shares at 75p each, to expand its sales and marketing capacity, fund capital expenditure requirements and to provide additional working capital. The company specialises in business management software under the Radica banner, which is used to assist firms' administrative routines or customer services.

### Ethical in £3.9m loss

ETHICAL HOLDINGS, the UK pharmaceutical development company whose shares trade on the Nasdaq market in the United States, increased its expenditure on research and development by 32 per cent, to £10.4 million, in the year to August 31. The company, which specialises in drug-delivery systems such as controlled-release tablets and transdermal patches, incurred an operating loss of £3.9 million after an exceptional charge of £7.9 million for the repurchase of product rights. In the preceding year the company had earned profits of £3.9 million.

### Volkswagen figures accelerate

Volkswagen, Europe's largest car manufacturer, reported a 56 per cent rise in pre-tax profits over the first nine months of the year and said that it was heading for higher full-year earnings and sales.

Pre-tax profits rose to DM1.48 billion, from DM948 million. Group sales were 14.2 per cent higher, at a record DM74.49 billion.

The company said that its net profits rose to DM465 million, from DM185 million.

Volkswagen said that car production rose by 8.7 per cent, to 2.74 million units, while worldwide deliveries to customers rose by 12.6 per cent, to 2.99 million units.

### Plunge in Volvo operating profit

Volvo, the Swedish vehicle manufacturer, suffered a sharp fall in operating profits in the first nine months of this year. Operating profits plunged to SKr2.32 billion (£221 million), from SKr8.94 billion, after a 12 per cent fall in sales, to SKr113.6 billion.

Volvo incurred heavy losses in the truck market in North America and said that it faced intense price competition in other markets. The company also said that it had absorbed high development costs.

The car division's operating income fell to SKr573 million, from SKr1.93 billion, with sales down to SKr59.83 billion, from SKr63.15 billion.

At pre-tax level, group profits rose by 12 per cent, to SKr12.03 billion, aided by a SKr7.8 billion gain from the sale of Volvo's holding in Pharmacia-Upjohn, the pharmaceutical group.

### Ex-Lands buys retail site

Ex-Lands Properties is buying a retail, leisure and office development at Hanley, Staffordshire, for £3.95 million in cash and shares. The vendor is Buxstat, a private company controlled by Martin Myers, deputy chairman of Imry Holdings. The shares issued to Buxstat represent 6.4 per cent of Ex-Land's share capital.

Ex-Land, which demerged Clubhaus, its leisure business, earlier this year, yesterday reported a £55,000 pre-tax loss for the year to June 30, after provisions of £3.1 million, against profits of £1 million previously. The dividend for the year is held at 0.5p.

### Italy set to cut discount rate

The Bank of Italy will today cut the official discount rate to 7.5 per cent, from 8.25 per cent. The last change to the rate was on July 23, when it was cut by 75 basis points.

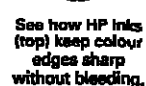
The move is sure to be welcomed by the centre-left Government of Romano Prodi, which is keen to see official rates fall to help to cut interest repayments on Italy's huge debt mountain.

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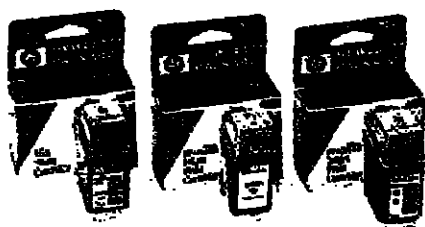


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Philip Randall and Isobel Sharp on the corporate reporting paperchase

# Lessons from the changes so far

Never in the field of corporate reporting have the actions of a few caused so much paper. At least, that is how some historians may see corporate reporting developments in 1991 to 1996.

Now, based on the results of a recent Arthur Andersen survey, the annual reports of our FT-SE 100 companies are regularly exceeding 100 pages, to meet all the disclosure requirements and best practice recommendations. And, on the basis of what goes up must come down, there are a number of ideas in circulation to reduce the burden. But perhaps we should take stock of what the past five years should have taught us about managing change in the existing reporting regime. We believe that there are three big lessons.

□ The first point has been the number of groups setting the rules. There is the DTI, the Stock Exchange, the Accounting Standards Board and its Urgent Issues Task Force, the Auditing Practices Board, the accountancy bodies, the Cadbury Committee, the Greenbury Study Group, ABL, various combinations of the aforementioned and we apologise to those we omitted. Keeping track of these has not been easy and sometimes the debates among the various groups, each perhaps working to a different agenda, have appeared more important than the issues.

Surely the time is right, while we are in a period of relative calm, to ensure that the structures for divining change are clearly in place to deal with the next round.

□ The second lesson is that we should be more organised in determining implementation dates. Even in the calmer 1996-97 reporting season, there are numerous dates to remember. FRSS, the accounting standard on related party disclosures, will be in force for the first time. DTI regulations on stating payment policies for creditors in the directors' report came in for periods ending on or after February 2, 1996. While those companies with March year-ends will have made changes in their last annual reports, those with December year-ends have something to look forward to. Stock Exchange rules on directors' remuneration best practices have various effective dates and more rules on the disclosure of directors' pension entitlements are expected soon. These, together with possible changes in the format of cash flow statements when the ASB issues shortly its revised FRS1, illustrate the present complexity. Would so much be lost if all rule-setters agreed to one implementation date a year, say December 31, and then planned their workloads either to ensure that deadline was met, or that the change waited till the next year?

□ A third point is the need for experimentation before bringing in new rules. We know that some rule-setters, including the ASB, are already very good at testing thoroughly their ideas before launching them on an unsuspecting public. For others, the pressure for change has meant undue haste and some repenting. For example, disclosures about directors now regularly take up four or more pages in the annual report and have at times become over-zealous.

In such cases, the pressure problem might also have been compounded by a lack of will or resource to see a project through to a worthwhile conclusion. For example, can we seriously say the seven short pages of guidance to directors on reporting on internal financial control, while popular, is a model of standard setting?

Yes, we want to avoid excessive detail generated merely to quieten the pedants. But what we should have is adequately resourced standard-setters who work within a reasonable timeframe. Let's be clear. The changes in corporate reporting over the past five years have been for the good. But let us learn the lesson and do even better.

Philip Randall is Managing Partner, UK Audit and Business Advisory at Arthur Andersen. Isobel Sharp is a partner in the Arthur Andersen Professional Standards Group.



Isobel Sharp and Philip Randall cite lessons to be learnt



ROBERT  
BRUCE

## Five and one breed sixes and sevens

When I wrote last week that "by and large" the accountancy bodies were united over their new proposals for an independent review board to oversee the profession I did so before the faithful press conference at which they unveiled them.

It was by far the most enjoyable press conference that most of us had attended in years. But for those who were attempting to maintain a united front on the platform it was purgatory.

Everyone knew that CIMA, the management accounting body, had misgivings about one area of the proposals. The reason that the press conference unravelled was that no one had understood properly the vehemence with which CIMA's views were held.

It all started quietly enough. Chris Swinson, chairman of the working party, announced that the representatives of the six main UK accounting bodies were there to talk through the proposals. He pointed out that there was a difference of opinion about where the responsibility for the Auditing Practices Board (APB) should lie in the final structure.

This is an important point. But no one had seen it as an essential one. The APB, which operates very much as the Accounting Standards Board (ASB) does in creating regulations, principles and policies has sat awkwardly within the English ICA.

It has long been accepted that it should be independent, as the ASB is. The alternatives are that either the APB is shifted to a position of independence under the proposed new review board, or it moves in alongside the ASB under the aegis of the Financial Reporting Council (FRC). Both options would provide the independence required.

Those were the arguments. Five of the six bodies agreed on the first option. CIMA went for the second. The different lines of support and the arguments for and against were detailed in a separate report. The assumption of most observers was that a compromise would be reached and CIMA would eventually agree to the majority view.

Swinson pointed out that CIMA held strong views on the subject and asked its vice-president, Norman Lyle, who is general manager, finance, at Zeneca, to outline them. This was

where the problems started. Lyle had not been on the working party and until that morning had never met the other members with whom he was sharing the platform. None of the CIMA members of the working party was available, it seems. But in his speaking notes from CIMA Lyle talked of wanting to be constructive in spite of the fact that CIMA's position was unchanged.

All should have been well. But it was immediately clear that it was not. The body language told as much. Instead of addressing his comments to his fellow accountants, or to the press, Lyle made most of his remarks to a point about two thirds up the blank left-hand wall.

In a nutshell he felt that the working party's solution would not provide the independence required whereas the CIMA solution would. From there it was but a short sentence or two before he was swapping "yes it is, no it isn't" repartee with Swinson, as the other four working party members put their heads in their hands.

What made the breakdown so extraordinary was that the points at issue were all known and understood. Nothing new was being expressed. And no one could see what might be gained by having a blazing row in the midst of a press conference being held to express unity.

So there has to be an assumption that other issues lurk beneath the surface. John Chester, CIMA's chief executive, insists that this is not so. "We have gone blue in the face trying to explain our position," he said later.

But there are two possible explanations. First is that CIMA, unlike the auditing bodies, has not been through the extreme pain and criticism allied to introducing effective regulation. As one senior observer put it: "CIMA simply do not want to open the Pandora's box of joining the joint disciplinary scheme."

And the second is that CIMA, though outnumbered, simply wants more say in the matter. As a senior CIMA insider put it: "The whole of this debate is about control, the control of the profession's destiny."

Tonight sees the annual CIMA dinner in the City. Perhaps the arguments will become clearer over the port. But I doubt it.

### Broad canvas for Swinson

THE events at last week's press conference to launch the proposals for a review board to keep the profession in order suggest that something stronger might be required. The chaotic descent from the dignified opening announcements to the trading of insults among members of the working party would be enough to drive anyone to drink. But Chris Swinson, the BDO Stoy Hayward partner in charge of the working party, has instead taken to water. He has set aside three hours of every weekend and has started painting watercolours. We hope that the working party has not commissioned a group portrait.

### ACCA harmony

THE certified accountants have had a problem with their title for years. The body used to be called the Association of Certified and Corporate Accounts (ACCA). But then it decided, as all accountants eventually do, to get the word

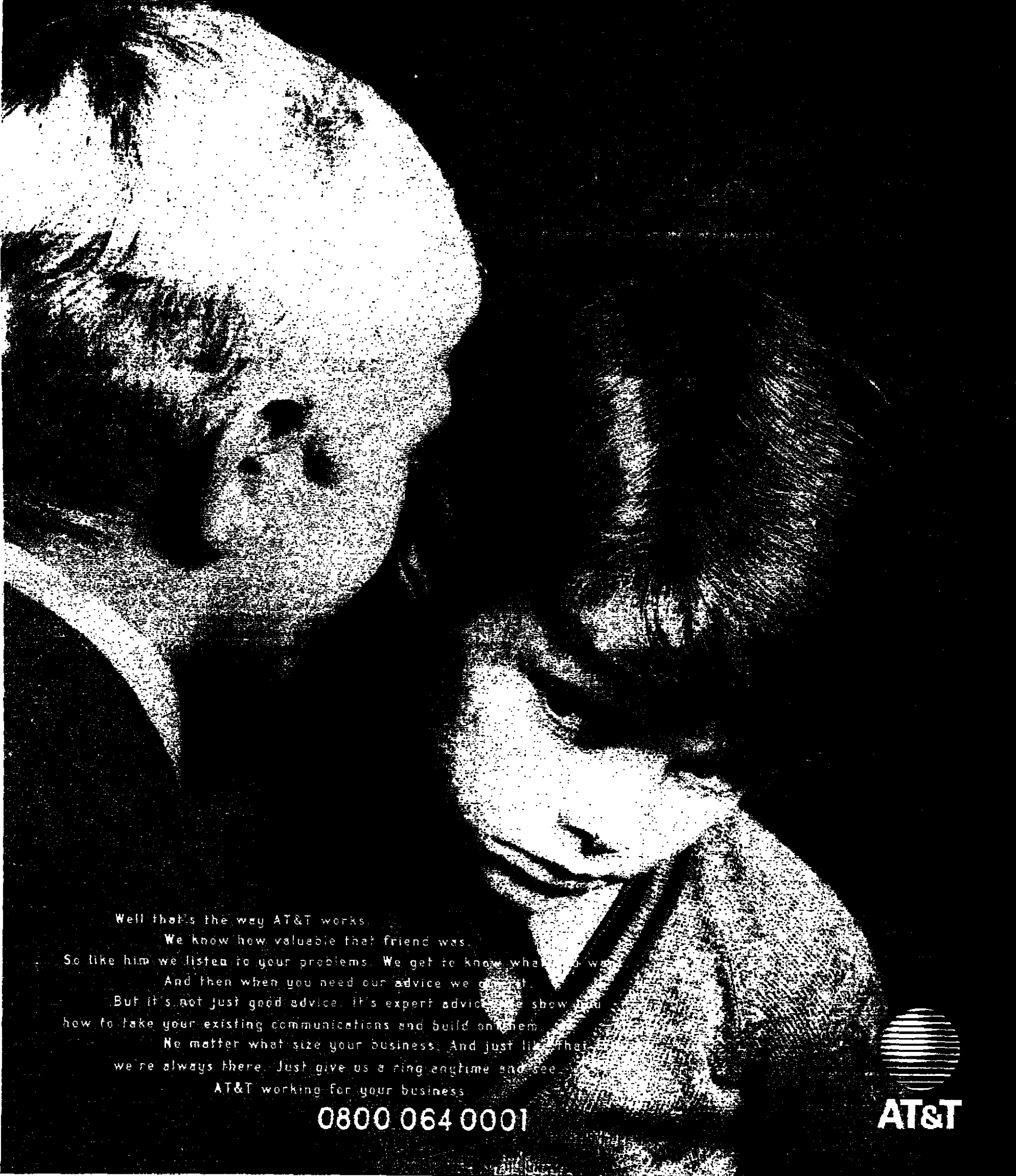
"chartered" in there somewhere. So it called itself the Chartered Association of Certified Accountants. But no sooner had it done so than someone pointed out that CACA means something rude and unpleasant in Mediterranean countries. So ever since it has had to maintain a compromise. It stuck with the name but used the ACCA acronym. Now it has been saved by the Privy Council. Members are to be allowed to call themselves chartered certified accountants and the association will once again be in harmony with its acronym.

### Change of scene

ALL THIS good news has proved too much for Barbara Cahalane. ACCA's public relations manager. She is moving to the strife-torn Law Society as its director of communications next month. She claims she is looking for new challenges. It won't be long before she is pining for the old days of extraordinary meetings and membership revolts among the accountants again.

ROBERT BRUCE

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how you had  
one friend who would  
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# Bargains of the week — from skiing holidays in French chalets to a weekend break in Brussels

## HOTELS

THE Europa Inter-Continental hotel in Brussels has a weekend rate of about £120 a room a night, including breakfast and all taxes. The fee includes extra options, such as a room upgrade, a third night or food and beverage vouchers. Details: 0181-847 2277.

DISNEYLAND Paris has a Classic Package offer from November 10 until December 17 of two nights' accommodation in the Hotel Santa Fe with continental breakfast and three days' theme park admission included. Price is £102 per adult (£48 child) sharing a room midweek, rising to £144 per adult at the weekend, although the holiday price stays the same. Details: 090 030303.

THE four-star Golden Tulip 'Alce Hotel' in Brussels has a special rate of about £120 per room a night, about half the normal rate, until the end of 1997. Details: 800 951000.

FOUR nights for the price of three is offered by Crystal Cities at the three-star Hotel l'Horset 'avillon in Paris. The offer, valid until the end of March, costs from £204 per person, including train fare. Details: 0181-390 9900.

THE Royal Windsor Hotel in the heart of Brussels has a 'Weekend Escapade' offer until December 19 through Leading Hotels of the World. Costing about £105 per room a night, it includes a daily champagne buffet breakfast and free entry to the hotel's nightclub. Offer valid for Friday and Saturday nights only. Details: 0800 512123.

A SPECIAL 'Picasso' package is available from Marignan-Elysees, a Westin Demeure Hotel in Paris.

until January 20. The price, based on two sharing, is £230 per night and includes a bottle of champagne on arrival and two tickets to the Picasso exhibition at the Grand Palais. Details: 0800 282565.

AN UPGRADE to an executive room with fax machine is offered, subject to availability, with the winter weekend rate at the Conrad International Hotel in Brussels. Price is about £163 per room per night, compared with a normal rate of £310. Details: 0900 445866.

PRIMA Hotels has a two-night weekend break at the Hotel Montalembert on Paris's Left Bank. For about £424 per room the package, available until the end of the year, includes a one-day pass per person for a variety of museums. Details: 0800 181535.

THE Sheraton Brussels Hotel and Towers has a winter rate from November 29 until February 15 of about 50 per cent off normal prices. A standard room costs about £82 per night without breakfast, while a Club room costs from £104 a night, also without breakfast. Details: 0800 353535.

THE new 'Weekender Plus' programme from Holiday Inn includes 14 hotels in Paris and two in Brussels. Prices range from £40 to £130 per room (able to accommodate a family of four) per night. In some hotels, weekend rates may also be available during the week. Details: 0800 997121.

A COMPLIMENTARY fruit basket is offered at the Hotel San Regis in Paris, a member of Summit International Hotels, from November 1 until February 23. The seasonal rate is about £176 per room per night for a single, £233 for a double. Details: 0800 556555.



Bruges, within easy reach of the White Cliffs, is available for short breaks at £154 per person

## FERRIES

HOVERSPEED has joined with the RAC to offer a ski package from Dover and Folkestone. A ten-day trip, with ferry crossing, winter sports insurance and RAC assistance costs £99 for a car and two passengers, £119 for a car and family. For 17 days it is £109 for a car and two passengers, £134 per family. Details: 01304 240241.

MINI-CRUISES with Scandinavian Seaways depart on October 29 to Hamburg and October 30 to Esbjerg, Denmark. Two nights on board ship with breakfast and a sightseeing tour costs from £59 per person. Details: 0990 333111.

DAY TRIPS through the Channel Tunnel with Le Shuttle cost £29 through Eurodrive from Monday to Thursday, £39 at weekends. Limited availability, 24 hours' notice required — valid until October 30. Details: 0181-324 4000.

SHORT breaks in Ireland using SeaCat Scotland's Stranraer-Belfast route cost from £83 per person. This price is based on a car and two adults, includes B&B and is valid until December 16. Details: 01232 313542.

## FLIGHTS

AIRLINE Network has announced a batch of new year offers, including London-Miami for £233 return plus tax and London/Los Angeles for £258 return plus tax. Flights valid from January 11 to March 8. Details: 0800 727747.

GHANA return for £349 a person over Christmas is on offer from Justravel with Caledonian flights from Gatwick on December 17 and 23, returning January 7 and 14. Clansman class seats available from £699 a person. Details: 0171-373 6053.

LOW-COST airline Debonair starts flying from Luton to Rome's secondary Ciampino airport on November 21. Fares start at £69 one way. Details: 0500 146200.

VIRGIN Express, the cut-price airline based in Brussels, is targeting UK travellers with a toll-free reservations line. The carrier operates daily flights from Brussels to Rome, Milan, Madrid, Barcelona, Nice, Vienna and Copenhagen. A typical one-way fare costs £67. Details: 0800 891199.

## HOLIDAYS

SPECIAL offers are available in Gerardmer, the Vosges ski resort close enough to Britain for a short-break holiday, including three nights at the Grand Hotel Bragard, some meals and lift passes for four days for £1,450 (£175 a person). Details: 0033 3 2963 0631.

A WEEK in the same region costs £3,314 (about £400) a person at the Hotel des Vallées, La Bresse, including half-board for six days, ski hire and lift passes. Details: 0033 3 2925 4129.

CHRISTMAS skiing holidays in chalets in Morzine are still available from Ski Esprit with prices for the week from December 22 starting at £328 for an adult with under-18s half-price. Details: 01252 616789.

CHALETs and other ski resort properties in France are now available on the Internet with full details, colour photographs and direct contact numbers, plus a ski information page with guides, maps and snow reports. Details from Internet Holidays Rentals on the Web at <http://www.holiday-rentals.co.uk> and on 0181-741 7878.

LA CITE des Sciences, the interactive science park in Paris full of hands-on exhibitions for children including a new one about electricity, is featured in tours arranged by Paris Travel Service and Cresta. Details: 01992 456000 and 0161-927 7000.

BRUGES, one of the most attractive continental cities within easy reach of the UK, is available for short breaks for £154 a person from Inntravel. The price includes two nights bed and breakfast at the canal-side Hotel Azalea and return Eurostar service from Waterloo to Brussels. Details: 01663 628862.

BOOK within the next week to take advantage of deals available in Sunsites' 1997 Preview Brochure, with prices for 12 nights for a tent sleeping six at popular European campsites starting at £214. Details: 01565 625555.

MOUNTAIN biking, canoeing, and cruises are among activities available during a week in the Dordogne with Headwater Holidays with departures every Saturday until November 23. The price is £318 a person, including half-board hotel accommodation and ferry crossing. Details: 01606 486499.

LUXOR in a luxury hotel for a week for £349 a person is on offer from Goldenjoy Holidays with flights from Gatwick every Friday from November 1 to December 13. Details: 0171-794 9818.

ELIAT is available at reduced prices in November from Destination Red Sea with a week's half-board at four-star hotels and return flights starting from £329 a person. Details: 0181-440 9900.

A CRUISE comprising 10 nights to Rio de Janeiro, departing from Genoa on November 16, is available from 1999 a person from Thornton's Cruise World acting for Mediterranean Shipping Cruises. The price includes flights from London to Genoa, returning to London from Rio. The ship calls at Casablanca and South American ports. Details: 0117-925 4444.

BIRDWATCHING in Ethiopia is still available on a ten-day tour departing Heathrow on November 22 with Naturetrek. The price is £990 a person and includes return flights, most meals and accommodation and the tour includes the Rift Valley lakes and Awash National Park. Details: 01962 733051.

## CHECK IN

**BEST OFFERS!**

Best Premium Class Offers from America!!!

Destination	Price	Destination	Price
London	£179	Los Angeles	£179
New York	£179	San Francisco	£179
Chicago	£179	Hong Kong	£179
Amsterdam	£179	Singapore	£179
Frankfurt	£179	Manila	£179
Paris	£179	Seoul	£179
Berlin	£179	Tokyo	£179
Rome	£179	Bangkok	£179
Madrid	£179	Colombo	£179
Brussels	£179	Yokohama	£179
Geneva	£179	Osaka	£179
Zurich	£179	Kobe	£179
Basel	£179	Nagasaki	£179
St Gallen	£179	Fukuoka	£179
Lucerne	£179	Sapporo	£179
Sion	£179	Hiroshima	£179
Vevey	£179	Kyoto	£179
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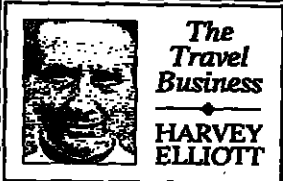
## What is the real price of air fares?

WHAT IS the cheapest single fare between London and Glasgow? According to the ubiquitous advertisements, the answer is surely £29. Wrong. The least you will pay is £34 — 17 per cent more than the headline rate. And prices quoted for longer-range flights are also not all that they seem. Flights to Orlando advertised at £275 this week, for example, will actually cost £305 — about 11 per cent more.

Airlines offering these attractive-sounding low fares insist they do tell potential customers that they will end up paying more for their flights. But you will have to look hard to come across the small print somewhere in the advertisement such as "excl. taxes", or "taxes apply".

The additional charges are, of course, caused by the Government's airport departure tax introduced almost two years ago. A levy of £5 is imposed on domestic and intra-European passengers, while long-distance flights are subject to a £10 tax.

Scheduled airlines, who do not include the tax in the quoted fare, have not been affected. Indeed, not only have they seen the number of passengers go on rising but



they have also been able to increase their fares. Published transatlantic business class fares from Britain, for example, have risen by 9 per cent in the past year and even the standard economy tickets have gone up by 7 per cent.

Charter airlines offering seat-only tickets have not been able to follow suit. Thomson, First Choice, Airtours, Unifair and their charter-airline partners have had to pay the tax themselves to keep prices low. They guarantee that the price quoted in the brochure or advertisement is what you will pay.

By absorbing the tax, their profits have fallen sharply and some have even been forced out of business. But they are no longer prepared to see competing scheduled airlines offering what may seem comparable or even lower fares, without having to display the total price.

For example, a Unifair return flight to Orlando is available next Tuesday for £259 inclusive, while BA is offering a return of £294 — plus, in parenthesis £24 tax for both UK and foreign taxes. From next month Virgin flights to Orlando are available for £302 (plus £35 tax). No wonder the passenger is confused.

A levy of £5 may not seem much to someone paying the top price for a business class seat to Frankfurt, for example. But it is to a budget-conscious family flying to a non-European country who spot a bargain fare but then have to find an additional £30 or so a head because the flight is on a scheduled airline.

Surely the total amount, including all taxes should be displayed prominently — rather than an eye-catching, but often misleading, headline price?

I predict that unless action is taken to force the scheduled carriers to be more open, the charter operators will also begin to "hide" the taxes.

## Take the Eurostar for a ride to the heart of French skiing

BY HARVEY ELLIOTT

SKIERS will be able to travel to some of Europe's finest resorts by train this winter as part of a dramatic new initiative to boost still further the number of people travelling on Eurostar.

A special ski train — nicknamed "Eurostarski" — will leave Waterloo on most Friday evenings throughout the winter ski season, enabling enthusiasts to travel via Paris or Lille and be on the slopes in Val-d'Isère, Tignes, La Plagne and the resorts of the Trois Vallées by mid-morning on Saturday.

Tour operators have been quick to seize the opportunity presented by Eurostar's marketing drive. Ski France is offering seven days' self-catering at Val Thorens from January 4 for £212, including return rail fares, transfers and accommodation. Independent travellers will be able to book direct with Eurostar in London.

Eurostar, which also stops at Ashford in Kent, arrives in little more than two hours at Gare du Nord in Paris, where passengers will — until next year — have a further two hours in which to have a meal before boarding the train for Moutiers and Bourg-St Maurice, twin centres of France's ski resorts.

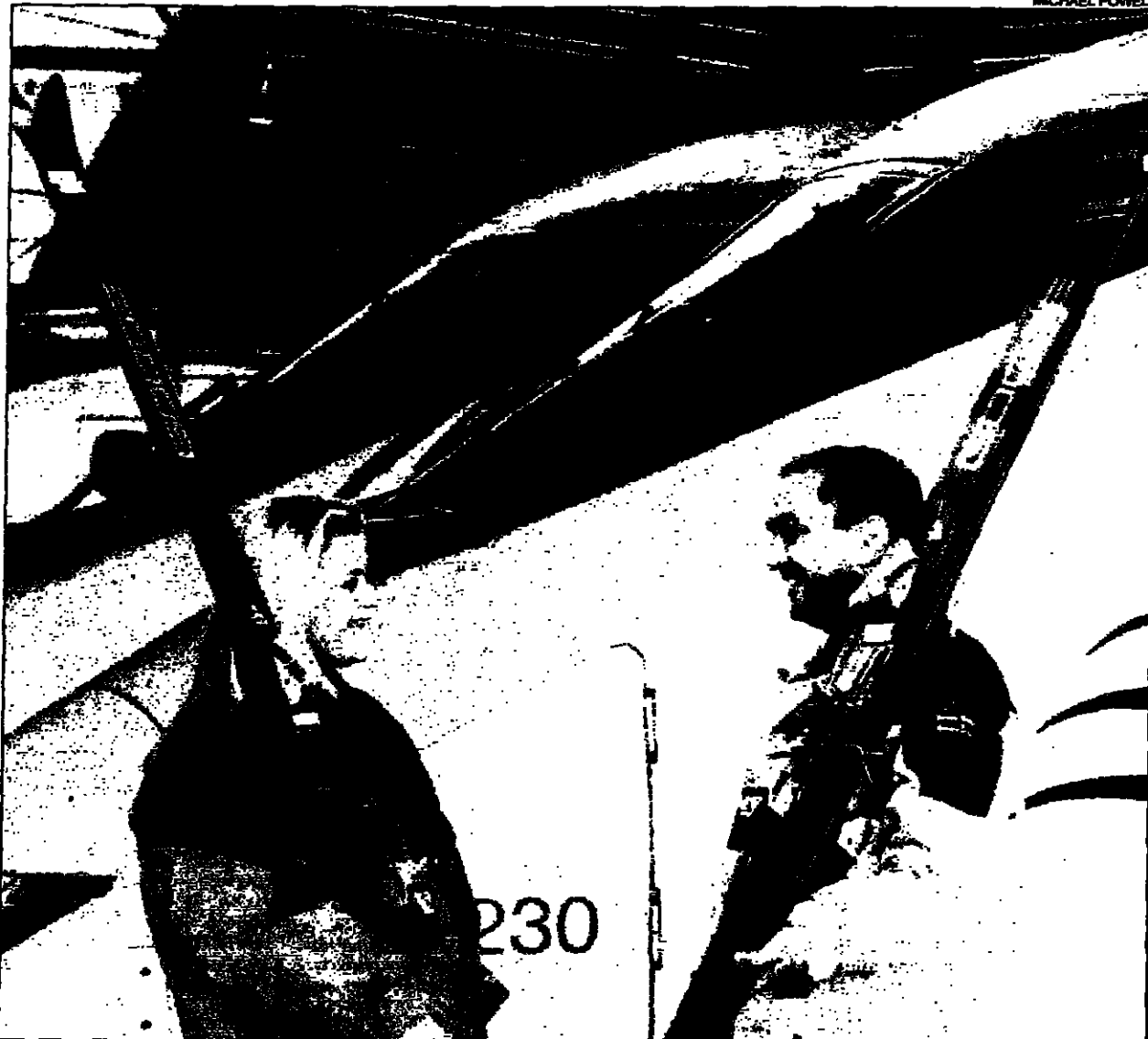
Once on board the SNCF ski train, they can either take a couchette or spend time in the specially designed disco carriage. Next year it is planned that Eurostar will travel to the French resorts direct and with no need to change trains before reaching Bourg St Maurice.

The new ski-train service is one of a number of initiatives taken by the newly appointed British operators of the cross-Channel train. Others will follow in the next few months as Eurostar launches a determined drive to dominate travel to the Continent.

The service is proving so successful that its operators are now planning to buy double-decker trains capable of carrying more than 1,100 passengers. Prototypes are already running in France and are expected to be in service with Eurostar after the new high-speed rail link to Britain's key regional cities is open.

More than seven million passengers have now travelled on the two Eurostar routes from London to Paris and Brussels since services began in 1994, forcing the company to put on extra trains to meet the demand. There are now 16 train services to Paris each day and nine to Brussels. Each carries 770 passengers — almost twice as many as a jumbo jet — at speeds of up to 186 miles an hour.

They are proving popular with day-trippers, business people holding conferences on board, as incentives for sales-



With Eurostar's special ski train this winter, skiers will leave Waterloo on Friday and be on the slopes by Saturday

people and what Eurostar staff call "tunnel of love" passengers — couples taking a romantic weekend break in Paris or Brussels to celebrate an anniversary.

Eurostar has already taken a 60 per cent share of the French cross-Channel market and this Christmas the trains are expected to be filled with office parties and Christmas shoppers boarding at both Waterloo and Ashford.

Half the passengers on board originate from Britain, 40 per cent are from France and 10 per cent come from Belgium.

Parisian hoteliers claim that

Eurostar has saved many of them from bankruptcy as strikes, high prices and nuclear tests drove away foreign visitors in their millions. But the number of British visitors continues to rise — 495,700 arrived in Paris in the first six months of this year — while the number of other foreign visitors fell sharply.

One leading Paris hotelier said last week: "Eurostar is the best thing that could have happened to Paris."

Business travellers, too, are switching to Eurostar and early next year, they will benefit from improved services and a new fares structure

aimed at taking full advantage of the train's unique ability to transport so many people with differing needs direct from the heart of one city to the heart of another.

Free taxi transfers from office to station and on to the meeting point for first-class passengers are to be introduced and those who pay the full fare will be given priority check-in and will, if they wish, be able to use their fully flexible return ticket to return to Heathrow on a British Midland flight. At the same time, a range of new cut-price fares will be introduced to attract leisure passengers.

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## Clinics accused of touting for patients

BY HARVEY ELLIOTT AND TONY DAWES

PACKAGE tourists are being put at risk because of deals to send them to unsuitable clinics should they fall ill, medical experts are claiming.

Miguel Nadal, the chief executive of Lifeline, the British medical assistance company, has brought the issue to a head by claiming that tour operators and resort staff are being paid by clinics to supply patients.

Dr Nadal says clinics in Mallorca, for example, are in fierce competition for clients and that the "going rate" for delivering a patient is 5,000 pesetas (about £25).

He added that many Spanish clinics employ young, barely qualified doctors with little experience of acute medicine or dealing with surgical emergencies, and that patients would receive better treatment at state hospitals.

Tour operators have reacted angrily to Dr Nadal's claims, first made at an international travel insurance conference earlier this month, but other medical and insurance experts have supported him.

Ben Reader, operations manager of Assistance 2000, said: "There is a problem, especially in Spain and its islands. People are being directed to private clinics by outside parties who are not medically qualified in return for backhanders. Tour representatives have to supplement their slender incomes and this is one way of doing it. Hotels are also in on the deal.

Everybody knows about it but it is difficult to control.

The medical assistance companies know what is going on because they monitor the progress of patients abroad. They believe that the deals have developed because of the growth in private clinics at resorts and the distances patients might need to travel to reach state hospitals.

"Health risks can arise," Mr Reader added, "because a clinic might be able to carry out a hip operation but would be unable to deal with complications that might arise. State hospitals, on the other hand, are equipped to deal with most problems."

The Association of British Insurers said that the problem had been brought to the attention of tour operators and travel agencies. "We are not aware of any widespread problem so we have not issued any guidelines," a spokesman said.

Alan Flook, of the Tour Operators Federation, said: "We have never had any problems with the medical authorities in 15 years. I would not be surprised if occasionally some individual did take a commission but local representatives are generally concerned that their customers are looked after very well."

Thomson said that it reviewed contracts with hospitals each year and that one of the main priorities was that the doctors and nursing staff spoke English.

## Muggers in Madrid

BY JACK CROSSLEY

SPANISH police are searching for a gang of muggers who use mobile phones to target tourists in Madrid.

Two elderly British women were robbed while strolling in one of the city's quietest parks last week while the Prado was closed for lunch.

"They followed advice about when and where to walk to avoid danger and thought a Sunday stroll through the Parque del Buen Retiro was well within the guidelines," said John Howes, a close friend. "But it turned into a nightmare."

In the park the women noticed two young men, one

with a mobile phone, apparently sweeping up leaves. Within seconds, the women were attacked from behind, flung to the ground and robbed of their money, credit cards, passports, airline tickets and cameras. "They quickly realised how well-planned their mugging had been — a realisation confirmed by police, the British Consulate and British Airways, who all said: 'Oh no, not another one,'" said Mr Howes.

The consulate charged them £30 for replacement documents and the Foreign Office said it may update its travel advice to British tourists.

## Under-50s banned as Saga buys a liner

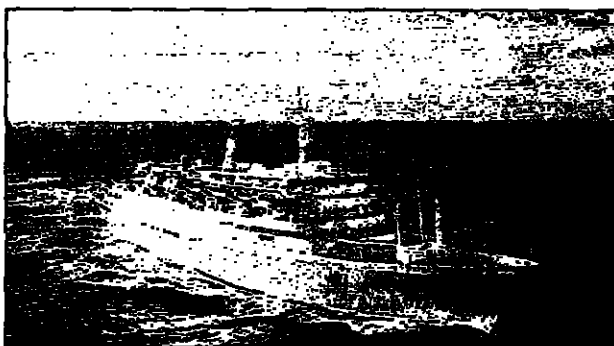
SAGA yesterday bought its own cruise liner, which will become the only ship in the world from which passengers aged under 50 are banned.

Harvey Elliott writes.

The tour operator, a specialist in providing high-quality, off-peak holidays for the over-50s, has spent about £20 million on buying Cunard's 24,474-tonne *Sagafjord*, which will begin Mediterranean cruises in the spring before a major refit. The five-star liner will carry up to 620 passengers and 320 crew, with British officers. Saga has ruled that there will be no tipping at the end of the voyage.

Roger de Haan, Saga's chairman, said: "One of the main complaints of people who go on cruises is being asked to pay a big tip at the end, so we have decided to ban tipping altogether."

"We already provide 14 per cent of the customers for other cruise companies. The market is growing so fast and the



The Sagafjord: Saga is spending millions on the liner

supply of good-quality liners is so short that we have no way of meeting the demand without buying our own ship."

Prices would be lower than on existing ships because Saga has lower overheads. "There has been a lot of development at the cheap and cheerful end of the market and we know our passengers do not want that," he said. "We will be able to provide the kind of luxurious standards that our customers have come to expect and at an affordable price."

The *Sagafjord* — at present on charter from Cunard to a German tour company — will operate from Dover harbour near Saga headquarters.

"It is exactly the right size for our customers," Mr de Haan said. "You could spend a week on board some of the ships now at sea and not even meet the people with whom you embarked."

## BA's terminal fare confusion

BUSINESS travellers booking British Airways flights between London Heathrow and Larnaca, Cyprus, face terminal confusion when the winter schedules start this month, Raymond Atherton writes.

For BA is sending some of its Larnaca flights from Terminal 1 and others from Terminal 4, and is charging different business-class fares from each terminal while using the same type of jet.

Passengers flying from Terminal 1 will be charged £698 return but those who depart from Terminal 4 will have to pay £1,647 — almost £1,000 more. And yet both services will be operated by a Boeing 767 twin jet.

The price difference is due to seating. Flights from Terminal 1 are deemed to be short-haul, so the business class seating is to Club Europe standard. Flights from Terminal 4 feature the more comfortable Club World seats. But it's a moot point whether extra comfort is worth £1,000 on a relatively short flight.

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THE TIMES

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CHANGING TIMES



# Criminal law offers protection to child sex-abuse victims

**Stubbings and Others v United Kingdom**  
(Case No 36/37/1995)

Before P. Bernhardt, President and Judges F. Gökçelik, R. Macdonald, N. Valticos, I. Fiolheta, R. Pekkanen, J. M. Morenilla, Sir John F. Kennedy and Mr J. Maktarczyk  
Registrar H. Potzold

Deputy Registrar P. J. Mahoney  
[Judgment October 22]

Victims of child sex abuse whose cases had been brought out of time failed in their action against the European Court of Human Rights.

The Court, by seven votes to two, that there had been no violation of article 6.1 of the European Convention on Human Rights, which guaranteed the right of access to a court, and unanimously, that in view of the protection afforded by domestic criminal law to secure respect for private life in child sex abuse cases and the margin of appreciation allowed to states in those matters, there had been no violation of article 8.

The applicants claim that they had been treated in a discriminatory manner, contrary to article 14 of the Convention, taken in conjunction with articles 6.1 and 8 was also rejected by eight votes to one.

Article 6 provides: "1. In the determination of his civil rights and obligations... everyone is entitled to a... hearing... by [a]... tribunal."

Article 8 provides: "1. Everyone has the right to respect for his private and family life, his home and his correspondence."

"2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

Article 14 provides: "The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

The case originated in two applications to the European Commission of Human Rights: (i) that of Ms Lesley Stubbings, Ms J. L. and Ms J. P., and (ii) that of Ms D. S. Both were referred to the Court which decided to join them.

**1 Ms Stubbings**  
Ms Stubbings was born on January 20, 1957. She alleged that, between the ages of two and 14, she was sexually abused on a number of occasions by her adoptive father, James Francis Webb, and by his son, Stephen, which caused her to experience severe psychological problems.

However, it was not until September 1984, following treatment by a consultant child and family psychiatrist, that she realised for the first time that there might be a connection between the childhood abuse and her state of mental health.

On August 18, 1987 she commenced proceedings against the Webbs, seeking damages for the alleged assaults. The defendants applied to have the claim dismissed as time-barred under the Limitation Act 1980.

In January 1991 she consulted solicitors with a view to commencing proceedings for damages against her father. Legal aid was granted and a writ was issued on March 28, 1991.

She also reported the alleged abuse to the police, who decided not to bring charges. When she was informed of this decision she made another suicide attempt.

Following the judgment of the House of Lords in *Stubbings v Webb*, her civil claim against her father was discontinued on the advice of counsel that it had become time-barred in 1986, six years after her eighteenth birthday.

**3 Ms J. P.**  
Ms J. P. was born in 1938. Between the ages of five and seven she attended a state primary school in Highgate, London, but her parents withdrew her in 1966 because she had become depressed and withdrawn and was suffering from nightmares.

It appeared that the deputy headmaster, a Mr P., had been removing her from lessons, purportedly to look after his

daughter aged two. From that time onwards, J. P. had difficulty in sustaining relationships and felt "different" and lonely.

She underwent a course of therapy which, in February 1989, prompted her to experience a violent recall of being subjected to sexual abuse by Mr P. She subsequently recovered memories of other assaults by him, including incidents of rape.

In October 1991 she instructed solicitors to commence proceedings for damages against Mr P. and a writ was issued on February 1992. However, legal aid was withdrawn and the action was discontinued following the decision of the House of Lords in *Stubbings v Webb* because her claim had become time-barred to January 1982.

**4 Ms D. S.**  
Ms D. S. was born in 1962. Between 1968 and 1977 she was subjected to repeated sexual assaults by her father, which caused her despair and depression.

On March 15, 1991 D. S.'s father pleaded guilty to a charge of indecent assault based on his abuse of her. He was sentenced to one year's probation.

D. S. considered that it was insufficient punishment and she therefore instituted civil proceedings against her father on August 14, 1992.

A report from a psychologist stated that it would have been impossible for her to have taken that step earlier, because she had largely blocked out memories of the abuse as a means of survival.

Her action was discontinued on May 24, 1993 following the House of Lords' judgment in *Stubbings v Webb*, since her claim had been brought outside the six-year time limit held in that case to apply.

**Applications**  
The application of Ms Stubbings, Ms J. L. and Ms J. P., 376 and 377 and the application of Ms D. S., 378 and 379, were referred to the Commission of Human Rights on May 14, 1993, and that of Ms D. S. on June 14, 1993. They were both declared admissible on September 6, 1994.

that there had been violations of article 14 of the Convention in conjunction with article 6.1 and that therefore it was not necessary to examine the complaints under article 6.1 alone or article 8 alone or in combination with article 14.

In its judgment the European Court of Human Rights held as follows:

**1 Article 6.1**  
The applicants had argued that one of the effects of the sexual abuse was to prevent them from appealing for many years that it was the cause of their psychological problems.

Because of the application of a fixed six-year limitation period, their claims for damages became time-barred before they had even realised they had suffered the abuse. It followed that the very essence of their right of access to a court, guaranteed by article 6.1, had been impaired.

The Court referred to its case law, which established that article 6.1 embodied the right to institute proceedings before a court in civil matters, but that that right was subject to limitations.

In regulating access to a court, contracting states enjoyed a certain margin of appreciation, although the limitations applied should not restrict or reduce the access left to the individual in such a way or to such an extent that the very essence of the right was impaired.

Furthermore, all limitations had to pursue a legitimate aim and be reasonably proportionate.

The very essence of the applicants' right of access to court was not impaired since they had had six years from their eighteenth birthdays in which to institute civil proceedings and, since, subject to the need for sufficient evidence, a criminal prosecution could have been brought at any time and a compensation order made.

Limitation periods served the legitimate aim of ensuring legal certainty and finality, protecting potential defendants from stale claims which might be difficult to counter and preventing the injustice which might arise if courts were required to decide upon events which took place in the distant past on the basis of evidence which might have become unreliable and incomplete because of the passage of time.

The six-year time limit was not unduly short. It was proportionate to the aims sought to be achieved. That was apparent from the fact that if the applicants had commenced actions shortly before the expiry of the period, the courts would have been required to adjudicate on events which had taken place approximately twenty years earlier.

There was no uniformity among the member states of the Council of Europe with regard either to the length of civil limitation periods or the date from which such periods were reckoned. It could not be said that it was commonly accepted in European states that in cases such as the present, the time limit should only start to run from the date at which the material facts were known to the plaintiff.

There had been a developing awareness in recent years of the problems caused by child abuse and its psychological effects on victims and it was possible that the rules on limitation of actions applying in member states of the Council of Europe might have to be amended to make special provision for that group of claimants in the near future.

However, since the very essence of the applicants' right of access to a court was not impaired and the restrictions pursued a legitimate aim and were proportionate, it was not for the Court to substitute its own view for that of the state authorities as to what would be the most appropriate policy in that regard.

Accordingly, taking into account in particular the legitimate aims served by the rules of limitation in question, and the margin of appreciation afforded to states in regulating the right of access to a court, the Court found that there had been no violation of article 6.1 of the Convention taken alone.

**2 Article 8**  
The applicants Ms Stubbings, Ms J. L. and Ms J. P., contended that the problem of child sexual abuse demanded new measures for the protection of victims. The Commission of Human Rights, set up by the House of Lords in *Stubbings v Webb* case had failed to respond to that need.

The Court observed, first, that article 8 was clearly applicable to those complaints, which concerned a matter of private life.

Although the object of that article was essentially to protect the individual against arbitrary interference by the public authorities, it might also impose positive obligations involving the adoption by the state of measures designed to secure respect for private life even in the sphere of the relations of individuals among themselves.

The choice of means calculated to secure compliance with that obligation in principle fell within the contracting states' margin of appreciation.

Sexual abuse was unquestionably an aberrant type of wrongdoing, with debilitating effects on its victims. Children and other vulnerable individuals were entitled to state protection in the form of effective deterrence from such grave types of interference with essential aspects of their private lives.

In the instant case, however, such protection was afforded by the criminal law. Article 8 did not necessarily require that states fulfil their positive obligation to secure respect for private life by the provision of unlimited civil remedies in circumstances where criminal law sanctions were in operation.

Accordingly, in view of the protection afforded by the domestic criminal law against the sexual abuse of children and the margin of appreciation allowed to states in such matters, the Court concluded unanimously that there had been no violation of article 8 of the Convention.

**3 Article 14 taken in conjunction with articles 6.1 and/or 8**  
In addition, all of the applicants alleged that they had been treated in a discriminatory manner, contrary to article 14 taken in conjunction with article 6.1. Ms Stubbings, Ms J. L. and Ms J. P., also complained of a violation of articles 14 and 8 taken together.

They pointed to the difference in the rules of limitation applied in cases of intentionally caused injury, such as their own, and injury caused by negligence, where the time bar was three years from the date on which the plaintiff first knew the injury in question was both significant and attributable to

the defendant; with an additional discretion to the judge to allow such an action to proceed even if commenced after the expiry of the three-year period.

The Court reiterated that article 14 afforded protection against discrimination in the enjoyment of the rights and freedoms safeguarded by the other substantive provisions of the Convention but that not every difference in treatment would amount to a violation.

It had to be established that other persons in an analogous or relevantly similar situation enjoyed preferential treatment and that there was no reasonable or objective justification for that distinction.

Contracting states enjoyed a margin of appreciation in assessing whether and to what extent differences in otherwise similar situations justified a different treatment in law.

The applicants could not be said to be in an analogous situation to the victims of negligently caused harm for the purposes of article 14. In any domestic judicial system there might be a number of separate categories of claimant, classified by reference to the type of harm suffered, the legal basis of the claim or other factors, who were subject to varying rules and procedures.

Different considerations might apply to each of those groups. For example, it might be more readily apparent to the victims of deliberate wrongdoing that they had a cause of action. It would be artificial to emphasise the similarities between those groups of claimant and to ignore the distinctions between them.

Furthermore, even if a comparison could properly be drawn between the two groups in question, the difference in treatment might be reasonably and objectively justified, again by reference to their distinctive characteristics.

It was quite reasonable to fall within the margin of appreciation afforded to the contracting states, to create separate regimes for the limitation of actions based on deliberately inflicted harm and negligently inflicted harm.

Accordingly, the Court found no violation of article 14 of the Convention taken in conjunction with articles 6.1 or 8. Judge Macdonald dissented.

## Law Report October 24 1996 Court of Appeal

# Prudent investor basis for determining damages for personal injury

**Wells v Wells**  
**Thomas v Brighton Health Authority**  
**Page v Sheerness Steel Co plc**

Before Lord Justice Hirst, Lord Justice Auld and Lord Justice Thorpe  
[Judgment October 23]

The determination of damages for future loss and expense in personal injury cases should be on the basis of the yield which a prudent investor should seek rather than on the basis of a notional indexed annuity. Courts should adopt the conventional approach to determine the quantum of such awards, not one based on indexed government securities.

The Court of Appeal so held allowing appeals by the defendants in three personal injury cases in which liability was admitted.

In the first, the plaintiff Mrs

Thelma Wells had been awarded £1,619 million against her husband, Mr Derek Wells, by Judge Wilcock sitting as a deputy High Court judge on June 13, 1995.

In the second, James Thomas had been awarded £1,285 million against Brighton Health Authority by Mr Justice Collins on November 7, 1995.

In the third, Kelvin Page had been awarded £906,000 against his former employer, Sheerness Steel Co plc by Mr Justice Dyson on December 4, 1995.

On appeal, the Wells award was reduced to £1,026 million; the Thomas award to a sum to be determined later; and the Page award reduced to £626,000. No order as to costs was made.

Mr John Leighton Williams, QC and Mr Richard Methuen for Mr Derek Wells; Mr Christopher Purchas, QC and Mr George Gadeny

for Mrs Thelma Wells.  
Mr Kieran Connan, QC and Mrs Christina Lambert for the Brighton Health Authority; Mr Robert Owen, QC and Mr Philip Havers, QC for James Thomas.

Mr John Leighton Williams, QC and Mr Richard Methuen for Sheerness Steel; Mr Christopher Purchas, QC and Mr Matthias Kelly for Mr Kelvin Page.

**LORD JUSTICE HIRST**, giving the judgment of the court, said that each case raised detailed issues but the common general point of principle concerned the appropriate multiplier to be applied to the annual amount assessed for future losses and expenses, the multiplicand.

In each case, the judge, having heard expert evidence from both sides, had departed from the well established conventional approach of awarding a multiplier consistent with a return of 4 to 5 per cent a year on the capital sum, and fixed the multiplier by reference to the return on index-linked government securities at 3 per cent a year, with the result that the multiplier was significantly higher and the damages greatly increased.

In other similar cases, judges had adhered to the conventional guidelines, with the result that the law on the point had been thrown into the melting pot, leading to stalemate in major personal injury claims.

The basic rule which had stood

for more than a century and was accepted on all sides was that damages were to be assessed on the basis that the fundamental purpose of an award was to achieve as nearly as possible full compensation to the plaintiff for the injuries sustained.

The conventional approach involved the award of a sum which prudently invested would provide the plaintiff with an annuity equal in amount to the loss: see *Coolson v Knowles* (1979) AC 558, 567-571, 376 and 377 and *Lincoln v. Cheadle* (1980) AC 174.

Multiplicands were based on the assumption that the principal sum would earn interest at about 4 or 5 per cent, rates that would be appropriate in times of stable currency, future inflation being achieved as nearly as possible by inflation would be being balanced by higher interest rates.

The assumption where the award was very large was that the plaintiff would seek advice as to how best to manage the money, and that there would be a normal range of investments. That was not an exact science.

A working party in 1994 chaired by Sir Michael Ogden, QC, had produced actuarial tables for use in fatal accident and personal injury cases. It had strongly advised the adoption of the index-linked government securities discount rate, rather than the conventional 4 to 5 per cent.

Its arguments had been adopted by the Law Commission in its report *Structured settlements and interim and provisional damages* (Law Com No 224: Cn 26-46). The commission had recommended that courts should be required by law in determining the return to be expected from investment of lump sum damages to take account of the net return on an index-linked government security.

While the judges in the instant cases had adopted the index-linked approach, the Law Commission, in other recent cases, *Casey v East Anglian Health Authority* (November 1993, Mr Justice Gage; *Lodge v Simpson* (December 1995, Mr Justice Garland); *Walsh v Glasgow* (February 1996, Mr Justice Gage); *Walsh v Waltham Forest Health Authority* (February 1996, Mr Justice French), the conventional approach had prevailed.

The plaintiffs maintained: 1 That the award must be fixed on the assumption that the plaintiff would intend to invest in the minimum risk and 2 That the test was not whether it would be prudent to invest in equities but whether to invest in index-linked government securities would achieve the necessary object of the highest precision.

The question was whether those propositions were right. It was fallacious to contrast the plaintiff with an ordinary investor.

To do so was to place the plaintiff unwarrantably in a privileged position. The statement of principle to that effect by the House of Lords in *Linn's case* was of paramount importance and continued the plaintiffs with grave difficulty.

The plaintiffs had also sought to portray the multiplicand, once firmly established, as converting an assessment of probabilities into a notional certainty and submitted that the fixing of the multiplier was a mere mathematical function.

The multiplicand was the product of a wide range of future probabilities and needs, which would always remain uncertain; thus the concept of a notional certainty was unsound.

In fixing the multiplier, no less than in fixing the multiplicand, the probabilities came into play. The court had to take account not only of financial considerations but also the degree of likelihood that the plaintiff might not live out his full life-span and in case of future loss, the court would not be put to work throughout his full working span or, with a child, that he might never become an earner.

The defendants had rightly relied on the repeated emphasis in the authorities on prudent investment. The plaintiffs had suggested that that applied only to the guidelines then in force, and had been rendered outmoded by the advent of index-linked government securities.

Their Lordships did not agree. It was for the court to hold the balance evenly between both sides and just as the plaintiff was entitled to an award which reflected the nature of his injury, so also the defendant was entitled to take advantage of the presumption that the plaintiff would adopt a prudent investment strategy once he received his award.

Of the expert witnesses called, only one had dissented from the view that a basket of investments including a substantial proportion of equities was appropriate to a prudent investment strategy. Equities were riskier than index-linked government securities, but over longer periods of years equity investment had been sound.

The Court of Protection, an organisation hardly noted for its gambling instinct, included 70 to 80 per cent of equities in its investments, and, characteristically, had recently been permitted to put 75 per cent of their investments into equities: see *Charles (Trustee Investment Act 1961) Order* (SI

1995 No 1922). Their Lordships were not convinced that had index-linked government securities been available in the 1970s the House of Lords would have selected them in preference to the conventional guideline.

The guidelines were still valid and their Lordships were not persuaded that the case had been made out for the courts of their own motion to adopt index-linked government securities in their place. The present conventional discount rate of 4.5 per cent should continue to apply.

The Family Bar Association had developed a very sophisticated computer-based mechanism for assessing future dependencies. That technique might provide a useful step forward in personal injury cases in future while adhering to present guidelines. For example in the treatment of tax.

That would be worth investigating as much more modest measures of reform, although the body conducting such a review should include accountants and investment advisers as well as lawyers and actuaries. That would have been a great advantage on the Ogden Inquiry to Solicitors Miss Linda V. Oliver, Worthington, Warrington, Hilda Hempsley, Compton Carr, Lawrence Graham, Russell Jones & Walker.

## Measure of contractual damages where goods had latent defect

**Bence Graphics International Ltd v Fasson UK Ltd**  
Before Lord Justice Otton, Lord Justice Auld and Lord Justice Thorpe  
[Judgment October 17]

The correct measure of damages for breach of contract where the seller had supplied goods with a latent defect which became apparent only after the buyer had sold them on was the actual losses suffered by the buyer, not the difference between the value of goods at the time of delivery to the buyer and the value they would have had if the warranty had been fulfilled.

The Court of Appeal so held by a majority (Lord Justice Thorpe dissenting) allowing an appeal by the defendant, Fasson UK Ltd, from a decision of Mr Justice Morland giving judgment for the plaintiff, Bence Graphics International Ltd for £546,328.54 together with interest of £280,799.42.

Section 53 of the Sale of Goods Act 1979 provides: "1) Where there is a breach of warranty by the seller, or where the buyer elects (or is compelled) to treat any breach of a condition on the part of the seller as a breach of warranty, the buyer is not by reason only of such breach of warranty entitled to reject the goods; but he may— (a) set up against the seller the breach of warranty in diminution or extinction of the price, or (b) maintain an action against the seller for damages for the breach of warranty."

"(2) The measure of damages for breach of warranty is the estimated loss directly and naturally resulting, in the ordinary course of events, from the breach of warranty."

"(3) In the case of breach of warranty of quality such loss is prima facie the difference between the value of the goods at the time of delivery to the buyer and the value they would have had if they had fulfilled the warranty."

"(4) The fact that the buyer has set up the breach of warranty in diminution or extinction of the price, or that he has maintained an action for the same breach of warranty if he has suffered further damage."

Section 54 provides: "Nothing in this Act affects the right of the buyer of goods to recover, in respect of special damages in any case where by law interest or special damages may be recoverable, or to recover money paid for the payment of interest has failed."

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the value of the goods at the time of delivery to the buyer and the value they would have had if they had fulfilled the warranty.

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Section 54 provides: "Nothing in this Act affects the right of the buyer of goods to recover, in respect of special damages in any case where by law interest or special damages may be recoverable, or to recover money paid for the payment of interest has failed."

The Court of Appeal so held by a majority (Lord Justice Thorpe dissenting) allowing an appeal by the defendant, Fasson UK Ltd, from a decision of Mr Justice Morland giving judgment for the plaintiff, Bence Graphics International Ltd for £546,328.54 together with interest of £280,799.42.

Section 53 of the Sale of Goods Act 1979 provides: "1) Where there is a breach of warranty by the seller, or where the buyer elects (or is compelled) to treat any breach of a condition on the part of the seller as a breach of warranty, the buyer is not by reason only of such breach of warranty entitled to reject the goods; but he may— (a) set up against the seller the breach of warranty in diminution or extinction of the price, or (b) maintain an action against the seller for damages for the breach of warranty."

"(2) The measure of damages for breach of warranty is the estimated loss directly and naturally resulting, in the ordinary course of events, from the breach of warranty."

"(3) In the case of breach of warranty of quality such loss is prima facie the difference between the value of the goods at the time of delivery to the buyer and the value they would have had if they had fulfilled the warranty."

"(4) The fact that the buyer has set up the breach of warranty in diminution or extinction of the price, or that he has maintained an action for the same breach of warranty if he has suffered further damage."

Section 54 provides: "Nothing in this Act affects the right of the buyer of goods to recover, in respect of special damages in any case where by law interest or special damages may be recoverable, or to recover money paid for the payment of interest has failed."

used insufficient ultra-violet stabiliser so that the film tended to degrade and some of the decals became illegible. There were extensive complaints from customers of Sea Containers about the poor labelling of their containers.

The plaintiffs had issued one claim relating to 349 containers and the defendants paid an agreed amount to the plaintiffs in compensation. There was an intimation of a claim from Sea Containers, but that had not so far been pursued. The plaintiffs retained about £22,000 of unused defective material.

The plaintiffs had claimed to recover the whole purchase price or alternatively for an indemnity against all claims from their customers.

In assessing damages the judge had applied section 53(3) of the 1979 Act, and decided that the plaintiffs were entitled to the difference between the value of the goods at the time of delivery and the value they would have had if they had fulfilled the warranty.

Sections 53(2) and 54 of the 1979 Act laid down the basic principles for remoteness of damage in language derived from the leading case of *Hadley v Baxendale* (1854) 9 Exch 31.

The judge had decided the case on the basis that the defendants had failed to satisfy him on the balance of probabilities that the prima facie measure of damages under section 53(3) was displaced by some other measure.

His Lordship concluded that section 53(3) laid down only a prima facie rule, from which the court might depart in appropriate circumstances. Not only the buyer but the seller could seek to discharge the burden of proof and displace the presumption as the measure of damages.

Mr Moran in argument had invoked the principle that where the seller delivered defective goods but the buyer was nevertheless able to perform a sub-contract by delivering the goods to his sub-buyer, the buyer's damages against the seller could not be reduced by taking that into account, relying on *Slater v Hoyle and Smith Ltd* (1920) 2 KB 11.

That decision could be distinguished narrowly on its facts from the instant case, since there the goods were sold to the plaintiff, whereas in the instant case the goods had been substantially processed or converted by the buyer and the seller was aware at the time of sale of the precise use to which the goods were to be put.

In his Lordship's judgment, once the goods had been converted in a manner which was contemplated by the parties, *Slater* had no application and damages must be assessed by reference to the value of the goods as they were put to use, "whether the plaintiff likes it or not."

The plaintiff did not have the option to choose the outcome most favourable to him. The determination of the correct measure of damages was for the court, not the aggrieved party.

The sellers would have known that any defect in the film would not have been detected on delivery or in the process of manufacture. Their breach would have caused deterioration in service for which the ultimate users of the containers would have complained against the container manufacturers, who in turn would have complained against the plaintiffs.

Those factors pointed against a loss of value basis and towards a measure of damages based upon the plaintiff's liability to the subsequent or ultimate users of the decals.

In his Lordship's view, at the time of making their contract the parties were aware that the loss would not be the difference between the value of the goods delivered and the market value, and accordingly the prima facie measure of damages ceased to be appropriate.

The appeal would be allowed and the case remitted for determination of damages.

**LORD JUSTICE AULD**, concurring, said the *Hadley v Baxendale* principle was the recovery of true loss and no more, or less. Where there was evidence, showing the nature of the loss that the parties must be taken to have contemplated in the event of breach, it was not to be set aside by applying the prima facie rule in section 53(3) simply because calculation of such contemplated loss would be difficult.

Where, as in the instant case, the contract of sale was between merchants both of whom contemplated that the subject matter of the sale was to be sold on, it defied the *Hadley v Baxendale* principle to rule out mutual contemplation by them of damage arising from the buyer's onward sale simply because the subject matter was to be altered or incorporated in another product.

The judge should have asked what the parties would have thought about the probable loss to the buyer in the event of a latent defect in the film at the time of delivery or at the time of conversion by the buyer into the containers, when later discovered under the buyer's vulnerable to claims for damages which would wish to pass back to the seller.

That was the wrong approach in a case in which they would have contemplated that, in the event of a breach by the seller discovered only after the decals had been in use, the buyer might wish to pass on to it claims for damages from dissatisfied customers.

This was plainly a case in which the parties must be taken as having contemplated that any latent defect in the vinyl film at the time of delivery or at the time of conversion by the buyer into the containers, when later discovered under the buyer's vulnerable to claims for damages which would wish to pass back to the seller.



FILM 1

Trevor Nunn's star-studded screen adaptation of *Twelfth Night* reeks of class and refinement...

FILM 2

... while *Tromeo and Juliet*, with its body piercing, dismemberment and kinky sex, glories in the gauche

THE TIMES  
ARTS

FILM 3

There are no star names, just plenty of genuine Gallic charm in Cédric Klapisch's *When the Cat's Away*

FILM 4

Hollywood's battering ram thunders into action again with Keanu Reeves in *Chain Reaction*

CINEMA: Geoff Brown on two tales of the Bard, from the sublimely Pre-Raphaelite to the ridiculously seedy

# Shakespeare shimmers and shocks

How do you like your Shakespeare on screen? Dressed to the nines in costumed finery and the best National Trust properties Cornwall can offer, or splattered with gore in a crude modern romp? This week you have both. Trevor Nunn's *Twelfth Night* is a wayward but largely satisfying, beauteous Bard's melancholy comedy with Pre-Raphaelite colours, fallen leaves, and a pour of acting notables ranging from Imogen Stubbs to Nigel Hawthorne. It reeks of class and refinement.

*Tromeo and Juliet*, however, glories in being gauche. Its advertising tag reads "Body Piercing. Kinky Sex. Dismemberment. The Things That Made Shakespeare Great". This is a product of America's Troma company, well-known in the trade for shoeing schlock such as *Surf Nazis Must Die* and *Stuff Stephanie in the Incinerator*. Much of *Romeo and Juliet* has been stuffed in the incinerator too, though the discerning may spot a few original iambic pentameters poking out.

Nunn, however, gives us his Shakespeare neat, cut into swift-moving scenes. The former artistic director of the Royal Shakespeare Company makes a film about every decade, and *Twelfth Night* shows far more concern for cinematic niceties than either *Hedda* (1975) or *Lady Jane* (1985). Clive Tickner's camera glories in autumn mists, formal gardens and the pageant of English country life (the play is updated to the late Victorian era). The editor's scissors whisk us abruptly between plot and subplot as the shipwrecked Viola dons male attire, joins the household of the lovesick Duke Orsino, and attracts the eyes of the haughty young countess Olivia.

Not everything in the garden is rosy. As Viola, Imogen Stubbs is fetching, teasingly androgynous, while Helena Bonham Carter's Olivia looks resplendent in autumn hair and a particularly gorgeous turquoise dress: you care about these young lovers, caught in a whirl of gender confusion and frustrated desire. Nigel Hawthorne is reliable too as the cruelly baited Malvolio. Malvolio's baiters are a different matter: by pushing too hard, Mel Smith and Richard E. Grant drain most of the comedy from Sirs Belch and Aguecheek, companions in booze. Ben Kingsley's lugubrious Feste is a mixed blessing, too.

But despite the lurches and fissures, the film hangs together, and never tries to over-dazzle, unlike Kenneth Branagh's Shakespearean ventures. Nunn makes autumn the perfect season for the

**Twelfth Night**  
Odeon West End, 12, 133 mins  
Autumnal Shakespeare from Trevor Nunn

**Tromeo & Juliet**  
ABC Piccadilly, 18, 95 mins  
Juvenile trash

**When the Cat's Away**  
Curzon Mayfair, 15, 90 mins  
Captivating French film about Parisian life

**Chain Reaction**  
Odeon West End, 12, 106 mins  
Sub-standard product from the Hollywood factory

**Nico Icon**  
ICA Cinema, 72 mins  
Absorbing documentary about the Warhol siren

comedy's darker moods; and the Pre-Raphaelite setting enhances the suggestion of an antique world embalmed in plush colours. In a little joke, Nunn makes Steven Mackintosh's Sebastian carry a Baedeker guide to the play's fictional country, Illyria. The film's ultimate triumph is to make us want to travel there too.

Who would yearn for the seedy Manhattan of *Tromeo & Juliet*? A juvenile audience, perhaps: one content with low-grade humour, rock-bottom special effects, a raucous rock soundtrack, the monstrous display of private parts, and dialogue like the following: Juliet: "Parting is such sweet sorrow." Tromeo: "It totally sucks." Occasionally the film, directed by Troma supremo Lloyd Kaufman, aims a little higher than this. One particular sequence, with Jane Jensen's Juliet imprisoned in a glass case, suggests a vein of warped surrealism waiting to be mined. But the Troma company's trademark gore, and the limited abilities of cast and crew, prevent excavations.

Civilised cinema returns with *When the Cat's Away*, a genuinely charming film from a French director new to Britain, Cédric Klapisch. There are no star names in the cast, but like Eric Rohmer, Klapisch has the gift for picking unknowns or non-professionals and letting them shine. In any case, the film needs no artificial lustre: its light and life come from the Paris streets, the courtyards, apartments and bars of the 11th arrondissement, Popincourt, where the heroine Chloé lives and roams.

She is hunting for her cat Gris Gris, who was left in the care of an elderly neighbour while Chloé went on holiday. Friends scour the streets of a decaying area being



Richard E. Grant and Mel Smith as companions in booze Aguecheek and Belch, in Trevor Nunn's misty, autumnal *Twelfth Night*

hailed upmarket by chic new businesses and the redeveloper's wrecking ball. But the missing cat is only an excuse for Klapisch to explore the vulnerable community and his heroine's lonely life. This is a film of chance encounters and brief daring moments, mostly shot in bright primary colours: a film that recaptures that old New Wave sensation of life caught on the hop.

Garance Clavel is a delight as the slim, pensive make-up girl who is obviously missing far more than her cat; though the film's quirky texture derives mostly from the older residents, such as Renée Chazal's Madame Renée, who chatter, bicker, and peer in disbelief at the metal bra in a fashion boutique window.

Klapisch keeps his slender story spinning so merrily that the few directorial slip-ups loom large. Chief among them is a trite dream sequence penetrating Chloé's mind,

shot in bleached colours. This tells us nothing we need to know. But the aberration is brief: Klapisch soon returns to exterior reality and the Paris melting pot. This must be the most captivating film in town.

**With Chain Reaction** Hollywood's battering ram thunders into action again, flattening such age-old ingredients of drama as character, plot and motivation. Who is sabotaging Keanu Reeves and his charms at Chicago University as they strive to make water an energy source through a fancy process called solunuminescence? Still, you can easily spot the rolling fireballs, exploding buildings and other diversions hurled at Reeves and his partner, Rachel Weisz.

In *The Fugitive*, the director Andrew Davis demonstrated a surprising knack for painting a human face on to the Hollywood

action juggernaut. But the preposterous and derivative script for *Chain Reaction* gives him little room to work a second miracle. The most interesting acting comes from Morgan Freeman as the water project's guardian angel.

If your mind is numbed by *Chain Reaction*, the documentary *Nico Icon*, made for German television, may be just the thing to revive the brain cells. It educates. It entertains. Indeed, you might even wish the film ran a little longer, though probably no amount of extra footage could penetrate any deeper into the mystery of Nico, best known as the smoky-voiced siren of the Velvet Underground.

Relatives and colleagues chart an extraordinary life that began in Germany in 1938. Then she was called Christa Paffgen. She became a model. She appeared in *La dolce vita*. She joined Andy Warhol's

court in New York. Instead of thrusting out her own personality, she let others stamp themselves upon her. Delighting in death and hating her own beauty, she ended her life a raddled caricature, dying in Ibiza in 1988.

The director, Susanne Offinger, adopts various tricks to avoid a static parade of talking heads. Images come in different sizes, different densities. In archive clips we glimpse that distant planet, the Swinging Sixties. But nothing distracts from the fascinating spectacle of Warhol survivors recalling their vanished world: or veteran bohemian Carlos de Maldonado-Bostock, hands whirling like windmills; or the relatives who nurse mixed feelings, particularly over Nico's fling at motherhood with Alain Delon. "Rotten actor, rotten man," Maldonado-Bostock asserts. No wonder Delon was not interviewed.

## SNAP VERDICT

Every week, young film fans discuss the latest releases...

### □ TWELFTH NIGHT

David Balfour, 20: English country garden twaddle to showcase the marginal talents of minor British hurvies. Not even the gorgeous Helena Bonham Carter can keep the viewer's attention for long. To sleep, perchance to snore.

Sorrel Moseley-Williams, 20: Mel Smith nearly steals the limelight as the burping Sir Toby Belch. The bantering is hilarious and Richard E. Grant, Helena Bonham Carter and Imogen Stubbs make it entertaining from start to finish. An array of moustaches and a craggy location simply add to the film's excellence.

James Crabtree, 19: A "best of British" cast give consistently good performances. Beautiful to look at and enjoyable to watch.

Johan Almenberg, 20: Everything about this film is quality. It isn't as swiftly brilliant as Branagh's *Much Ado About Nothing*, but in the end I felt this was to the film's advantage. This is Shakespeare for anyone who loves film, as much as vice versa. I loved it.

### □ CHAIN REACTION

David: Even the trailer for this "action-packed thriller" was boring. There is almost nothing of any worth about this film apart from Morgan Freeman and he is nothing special. The action is predictable and executed without any conviction.

Sorrel: Keanu is fat, wears sweaters and is a totally unconvincing graduate student. Structurally flawed and a waste of prime talent, even Morgan Freeman cannot salvage his dignity from the dirge. James: This is part action, part sci-fi thriller. It deals with none of the scientific questions it raises and becomes little more than a series of special effects. Thankfully, Morgan Freeman gives a superior performance. A B-movie wrapped in an A-movie budget.

Johan: I thought it was too predictable. But the action is great enough to make it shamelessly entertaining. So if two hours of Keanu Reeves and grand-scale destruction of property is all you want from a film, go see this one.

Two readers have complained that I do not write about Radio 3 nearly enough. By way of mitigation I would only say that writing about the network's output would often smack of music reviewing rather than radio reviewing. By way of recompense I shall now write about Radio 3.

The *Third At 50*, which is a season marking the 50th anniversary of the old Third Programme, is turning out to be quite splendid. There is some nostalgia, but it is nostalgia with a point, and the season is loaded with imaginative flights.

There were two examples this week. Sunday Feature: *He and Louis MacNeice* was

## Station of excellence

a marvellous way of harking back to the days when BBC Radio's features department was the place to work within Broadcasting House and it was proof that the BBC can still do a radio feature with wit and aplomb.

The programme, produced by Louise Greenberg and presented by Colin McLaren, told the story of a broadcasting era through the eyes of an imaginary couple. Christopher Taplin, a writer-producer in the features department, and his wife Lucy, once Taplin's secretary and later a pioneer

### RADIO

in television. There are knowing types all over BH who reckon they know just whom the characters are based upon, but the effort defeated me.

They came over as composite characters, classic BBC types wonderfully played by Timothy Davies and Fiona Walker. This mix of fact and fiction was followed by outright drama in *Man and Superman*. At this point I must disappoint my aforementioned correspondents: I am not a drama

critic, either. But the point about Shaw's megawork was that it was the first drama transmitted by the Third Programme — on October 1, 1946 — and Sunday's production was commissioned for the anniversary.

The most significant common factor demonstrated by these two programmes is not that they harked back to the Third Programme. The really striking thing is that they demonstrate production values, which really means a commitment to excellence, of a level that makes those who

still bemoan the passing of the Third look a touch silly.

Nicholas Kenyon, the Controller of Radio 3, may have made some mistakes, but he has kept the quality flag at the masthead.

He has also resisted absurd and mutually exclusive demands: from one side that he should be more like Classic FM and from the other that the rival should be ignored. Classic FM is still a small player in the market, with a budget one tenth the size of Kenyon's. The fact that Classic FM attracts more listeners is an irrelevance which says more about society than it does about radio.

PETER BARNARD

## The Cherry Orchard

by Anton Chekhov as adapted by Peter Gill

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Sunday Telegraph

**'Adrian Noble has recruited two magnificent actors for this production: Penelope Wilton and Alec McCowen...superb'**  
Daily Telegraph

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# Twelfth Night

From the producers of *Much Ado About Nothing* and *The Madness of King George*

IN THE WEST END AND  
AT CINEMAS NATIONWIDE FROM TOMORROW



## ■ THEATRE

It may be long, but the 220 minutes of Edward Bond's new play, *In the Company of Men*, just race by



## ■ MUSIC 1

William Lyne has turned Wigmore Hall into the envy of the world, but after 30 years he isn't finished yet

## THE TIMES ARTS

## ■ MUSIC 2

The Philharmonia's new principal conductor, Christoph von Dohnányi, gives London a taste of the future



## ■ MUSIC 3

Mikhail Pletnev proves himself a man of many talents, conducting Beethoven and Mozart with the LSO



John Light (left) and Karl Johnson as son and father

## Arms, the man and his son

FIRST the seemingly bad news: Edward Bond's new play lasts 3 hours 40 minutes. But next, and quickly, the good news, that almost all the 220 minutes race by, so engrossing is the major part of the drama that Bond shapes.

He weaves together two stories, both concerned with conflicts that are ancient yet modern. In one the struggle is for ownership of Oldfields, a vast successful manufacturing business; this is the world of takeovers and secret deals. The other conflict is between the father who created the business and the son who wants a share in the running of it. To these two rivalries Bond gives extra tension by making the ambitious young man an adopted son, and specifying the company's product as armaments.

Most of the action takes place on a bare wooden dais on which are set desk or table or armchair to indicate the changing locale. In the last scene the dais heaves itself up vertically to become the rear wall of a doss-house cellar. Why Bond, who also directs, and his designer, Eryl Ellis, vary the setting here is unclear. Perhaps it is the equivalent

of a musical composer's change of tone or speed before the closing bars.

In this world of human piranha fish Bond's characters are more prone to poetic imagery, rhetoric and summaries of their behaviour than would be found naturally in the carpeted boardrooms of ECI. I raise no objection to this, however, when it allows

## THEATRE

### In the Company of Men

Barbican Pit

companies, foreseeing this to be the unbeatable combination for the 21st century.

The antics of the famous gambler Wilbraham provide another delight, marvellously played as he is by Richard Cordery. The play is a largely successful mixture of sharply worded drama and black farce, both present in the final meeting between curd father (Karl Johnson) and enigmatic son (John Light).

Finally too enigmatic, though evidently nothing so changes one's view of the world as a failed attempt to kill dad. An exciting evening.

JEREMY KINGSTON

MUSIC: Richard Morrison meets the man who transformed a fusty old hall into today's prime venue

## The Wigmore's backroom boy

Back in the Sixties a young Australian took a year's leave from his job with the Australian Broadcasting Commission to visit Britain. While in London he saw a job advertisement that intrigued him: for an assistant at the Wigmore Hall. He already knew the name. "We used to get *The Sunday Times* in Australia, and for some reason the concert announcements for the Wigmore Hall always fascinated me," William Lyne recalls.

He got the post. Not long afterwards the Wigmore's manager retired. The young Australian found himself running what was then perceived as a fusty old rectal hall, increasingly shunned by the smart musical set and sliding into a genteel, but probably terminal decline.

That was on October 24, 1966. Thirty years later, Lyne is still there. More importantly, so is the Wigmore. Its concerts are sold out for an average of 25 nights a month. It is the centre of an extraordinary revival of enthusiasm for chamber music and song recitals. There is no other hall like it in the world, and for that reason the world's best chamber musicians queue up to play there. And its audiences, far from being predominantly wrinkly and well-heeled, can be characterised by one common trait only: a profound love of music.

For all this, Lyne is largely responsible. He alone possessed the vision and the dogged determination to revive the spirit of this beautiful hall. Perhaps it needed an Australian to perceive what the British were on the point of throwing away. It certainly helped that Lyne was, and is, unstuffy and unpretentious:

the Wigmore's atmosphere today is largely a reflection of his character.

Tonight will see the first of two concerts celebrating his 30th anniversary. This one is a "Director's Choice" of songs; whereas the contents of the "William Lyne Surprise 30th Anniversary Concert" on November 22 have been kept secret, especially from Lyne.

How has Lyne been so successful? First, he has excellent musical judgment. He has struck up long relationships with many superb artists,

who form the backbone of the regular audience. "I get patrons coming up and saying 'I've just booked tickets for so-and-so on your recommendation, so he'd better be good,'" Lyne says. But his hunches are rarely wrong.

Nor do his innovations often fail. The Wigmore was the first hall in London to introduce themed concert series — in 1979, with a revelatory Fauré cycle. Its Sunday morning "coffee concerts" and its rush-hour concerts on Wednesday evenings attract audiences at a time when no other promoter would dare contemplate a concert. Lyne will inaugurate a singers' competition next September; he also wants a composer-in-residence.

But his biggest plan involves bricks and mortar. In the early Nineties he supervised the stunning redevelopment which left the hall itself untouched (though redecorated), but vastly increased the foyer and catering spaces. Now he has another grand scheme: to build a second Wigmore auditorium, seating 250 to 300 people, at the back of the site to provide a smaller space for students and young artists.

Michael Hopkins (who designed the new Glyndebourne) would be the architect. Lottery money would be sought, and the aim would be to build in time for the Wigmore's centenary in 2001. "But the main thing is to get a hall of the right quality, not to meet any specific deadline," Lyne says.

If it is built, it should certainly be called the William Lyne Hall. Few backroom boys have done more for the cause of British musical life.

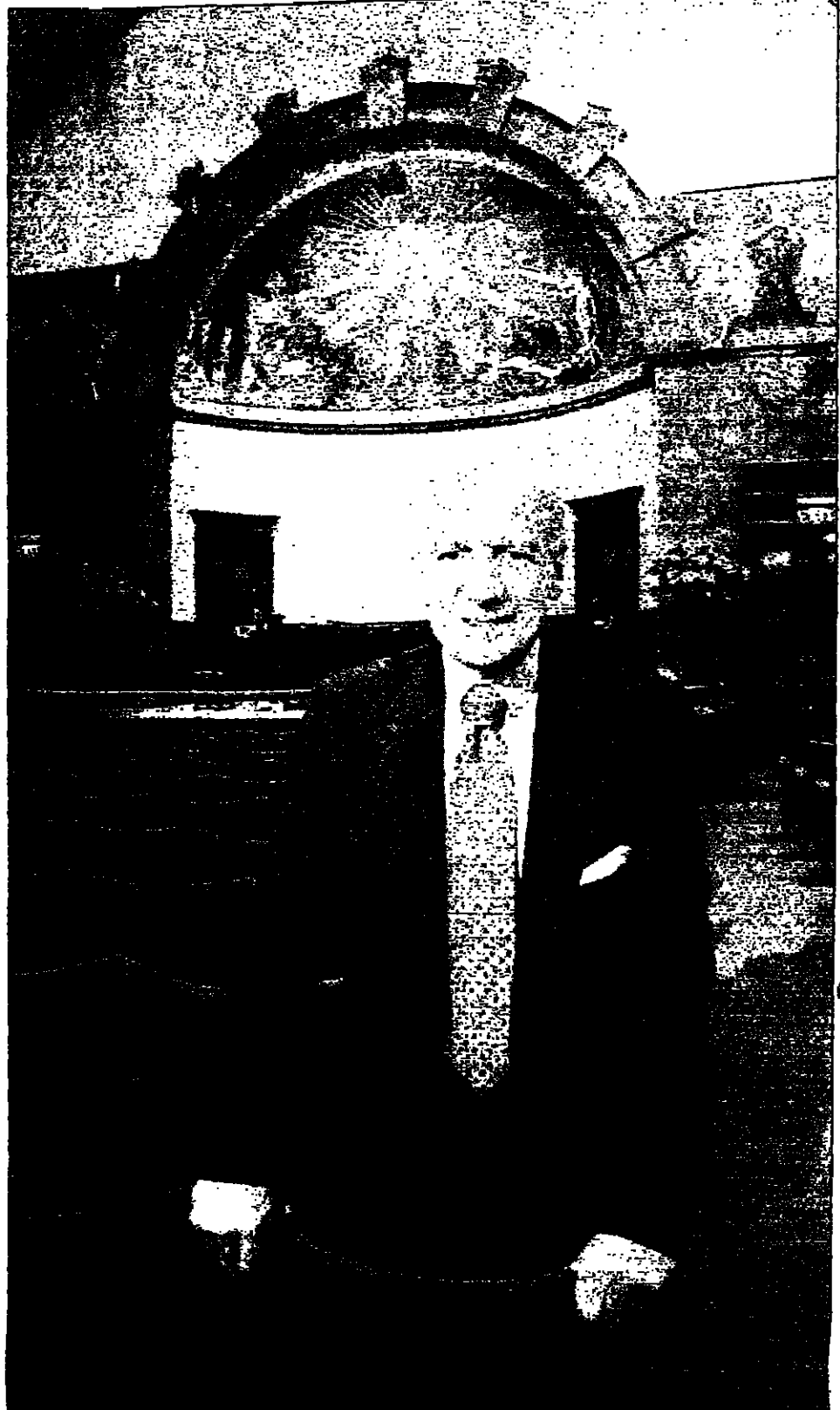
● Returns only available for the 20 anniversary concerts (0171-935 2141)

"I get upset if they play anywhere else"

often on little more than a hunch. Anne Sophie von Otter, now one of the world's leading mezzos, was given a Wigmore platform straight out of music college. The Takacs Quartet, the violinist Joshua Bell, the pianist Andras Schiff and the cellist Steven Isserlis feature in most seasons. "I get upset if they play chamber music anywhere else in London," Lyne says.

He is constantly seeking brilliant new talent. Occasionally, a newspaper arts editor will receive a "Yours. Bill": a short note from Lyne that gently recommends the dispatching of a critic to review a virtually unknown performer. Wise arts editors do not demur.

An endorsement from Lyne has the same effect on the 1,200 Friends of the Wigmore.



William Lyne: not content with the Wigmore's recent overhaul, he has expansive plans

CONCERTS: Pletnev and Dohnányi on the podium

## Master of Whirlwind ride, mischief

IT SURELY cannot be long before Mikhail Pletnev turns to theatre direction: not yet 40, he has done almost everything else. But despite his hyperactivity, Pletnev's music-making shows no signs of being over the top. Sunday's Barbican concert with the LSO was measured in its approach to Beethoven and Mozart. Pletnev found both majesty and drollery in Beethoven's Eighth Symphony.

The characteristic Pletnev mischief surfaced in the Allegretto scherzando, which seemed intent on proving the apocryphal story that the movement was a musical spoof on the newly invented metronome. The sturdy bassoon staccato was matched by the drollery of the horn playing in the Minuet's Trio. Graciously returned in a slow, solemn and concentrated performance of Mozart's C minor Mass. The London Symphony Chorus had been rigorously trained, and their phrases, carved out in forceful consonants, were moulded by Pletnev into statuesque lines and paragraphs.

Susan Gritton led the quartet of soloists. She sang the *Et incarnatus est* with an irresistible radiance, in the company of the pastoral flute and oboe soloists. Barbara Fritton, platinum to Gritton's silver, was the second soprano: one could hear the Fiordiligi in her, flaming its way through her fearless *Laudamus te*. Brian Bannatyne-Scott's bass made a brief, supportive appearance in the final *Benedictus*; Gwyn Hughes Jones was the refreshingly sober, chamber-musical tenor.

HILARY FINCH

DIRECTING his first concert since the announcement on Tuesday of his appointment as principal conductor of the Philharmonia Orchestra, Christoph von Dohnányi gave notice at the Festival Hall of the stimulating music-making that is likely to result from the relationship.

Dohnányi's fingerprint was clear from the start in the overture to Wagner's *Rienzi*. It is difficult to keep vulgarity at bay in this piece, with indignity after indignity heaped on the rather splendid tune that opens it. Dohnányi did his best, but could not resist giving clamorous brass and clattering percussion their head.

Similarly, in Tchaikovsky's Fifth Symphony in E Minor, he played up the reediness of clarinet passages and allowed woodwinds generally to add pungent voices to the texture. Certainly it added flavour and bite to each of the movements, while the first and last in particular had such energy and drive that one was swept along by the whirlwind. Late Romantic repertoire of this sort will surely benefit from the unique blend of passion and intellectualism that this conductor has to offer.

BARRY MILLINGTON

Bartók's Second Piano Concerto, with Garrick Ohlsson the dynamic soloist, was also given a reading with a vigorous rhythmic edge. Indeed, one sensed that the first movement was on the edge of the possible: a fraction faster and it would have toppled into incoherence. As it was, soloist and orchestra were stretched to the limit, and if certain individual phrases failed to register as a result, at least the cumulative effect was one of spiky buoyancy. The Adagio was lacking a little in mystery, but the finale took off like a rocket and stayed airborne to the end.

BARRY MILLINGTON

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Oct 28-29

● TICKETS £15 (normally £27.50) for Tango For Doo's story of the tango, from city streets to fashionable ballroom. Telephone 0171-314 8800

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Until Nov 3

● TWO £7.50 tickets for the price of one for David Mamet's *The Woods*. Tel 0171-373 3842

## ABERDEEN

## Leeson Theatre

Oct 31-2 (7pm)

● TWO tickets for the price of one (normally £7) for Theatre Babel's contemporary production of Shakespeare's *Hamlet* (Oct 30, Nov 2) and *Julius Caesar* (Nov 1). Tel 01224 641122

## HULL

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Nov 27-Jan 11

● TWO £7.50 tickets for the price of one for Tues to Thurs

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VIDEOS

A teeming portrait of a nightmarish LA is painted in one of the week's top new releases, *Strange Days*



RECORDS

Roberto Alagna releases his third opera set this autumn, but it fails to live up to expectations

THE TIMES ARTS

CHOICE 1

Janet McTeer stars as *A Doll's House* reaches the West End

VENUE: Opens tonight at the Playhouse

CHOICE 2

Tadaaki Otaka conducts the CBSO in a programme of 20th-century music

VENUE: Tonight at Symphony Hall

All a-flutter in a gilded cage

NEW ON VIDEO

THE BIRDCAGE

*MGM/UA, 15, 1996*  
MIKE NICHOLS'S revamp of *La Cage aux folles* was a big popular success, though to these eyes it killed the original's charm by whisking the story to South Beach, Florida, dispensing with subtlety, and sprinkling in some topical jokes in a doomed attempt to make the material contemporary. Robin Williams seems uneasy with his role as the buttoned-down Armand; but Nathan Lane flounders with finesse and some natural warmth as his flamboyant partner. Available to rent.

NELLY & MR ARNAUD

*Guild World Cinema, PG, 1995*  
LOVERS of civilised cinema should pounce on Claude Sautet's subtle and tender study of an older man and a younger woman edging towards intimacy. He (Michel Serrault) is a retired colonial judge; she (Emmanuelle Béart) is a 25-year-old brimming with unfulfilled desires. There is no sex; just looks, hesitations and a secret caress, wonderfully conveyed by the two lead actors and a veteran director on top form.

RICHARD III

*PolyGram, 15, 1996*  
"MY KINGDOM for a horse!" Ian McKellen cries as his Jeep is hit outside Battersea Power Station. This is just a sample of the jolts in store as Shakespeare is clothed in the Fascist uniforms of the 1930s and pushed onto the screen with great success by Richard Loncraine, an exuberant director with no theatrical ties. Annette



Pyjama party: Nathan Lane as Albert and Robin Williams as Armand in Mike Nichols's *The Birdcage*

Bening and Robert Downey Jr also feature, but get easily swamped by the Brits. Available to rent.

STRANGE DAYS

*CIC, 15, 1995*  
PREPARE for sensory overload as director Kathryn Bigelow lets rip with the latest Hollywood technology to create a teeming portrait of a nightmarish LA on the brink of the millennium. Ralph Fiennes is the squalid hero, a former cop turned black marketeer whose trafficking in

virtual reality brings him up against rape, murder and police brutality. As spectacle the film is often amazing, though the story and characters leave much to be desired, and Bigelow is not above playing the voyeur while violence runs rampant. Available to rent.

UNDERGROUND

*Artificial Eye, 15, 1995*  
EMIR KUSTURICA's comedy epic about the Balkans, winner of the top prize at Cannes, starts off in splendid surreal style with German bombs

rain falling during feeding time at Belgrade's zoo. But the director's flamboyance soon gets wearing as the deluded partisans of the Second World War continue to hide in their underground bunker far into Tito's reign. Kusturica hammers home the central conceit of a postwar Yugoslavia crippled by fear, propaganda and a siege mentality; and the visual imagination, by and large, suggests a third-rate Fellini movie.

GEOFF BROWN

NEW CLASSICAL CDs: Vivaldi in Dresden; Alagna as Hoffmann; Daugherty as Superman

CHAMBER

Hilary Finch

VIVALDI

*Dresden Sonatas*  
Biondi/Europa Galante  
*Opus III OPS 30-154*  
The violinist Fabio Biondi and his ensemble Europa Galante have become something of a symbol of the rebirth of Baroque performance in Italy, anyone who has heard their new-minted Vivaldi *Four Seasons* and recent Corelli *Concerti Grossi* is not likely to forget them in a hurry. Now, thanks to the sharp-eyed record company Opus III, who took Biondi up in the first place, there is an exciting new recording of Vivaldi's *Dresden Sonatas*—so called because the violinist Johann Georg Pisendel, of the Dresden Court Orchestra, visited Italy, persuaded Vivaldi to make over the autograph score to him, and returned to Dresden to start a Vivaldi cult. Biondi is the Ariet of the

violin; his voice is delightfully distinctive, from the plangent abstraction of the slow movements to the high-stepping harlequinade of the alternating dance movements. There are no end of mercurial runs and flourishes; but it is Biondi's quicksilver imagination which so thrillingly recreates Vivaldi's own. This irresistible recital ends with a little *Sarabande* by Pissandel himself, a graceful nod to his Venetian friend and mentor.

John Higgins

OFFENBACH

*Les Contes d'Hoffmann*  
Dessay/Sumi Jo/Vaduvu/Alagna/Van Dam/Lyons  
Opera Orchestra/Nagano  
*Erato 0630 14330-2 (3 CDs)*  
THIS is Roberto Alagna's third opera set this autumn. Alas, his Offenbach is not up to *Don Carlos* or *Rodolfo* in *Bohème*. For both of those he had plenty of stage prepara-

tion and the guiding hand of conductor Antonio Pappano. Alagna's Hoffmann has its moments, but too much of the singing is almost casual and too much is strident. As a doomed lover he can certainly turn on the power, but Hoffmann was a poet and a dreamer as well. Kent Nagano takes a similarly brash approach to the score. The bright orchestral sound works well enough for the matches and waltzes, but Hoffmann needs time to breathe. There are, though, plenty of worthwhile surrounding contributions, starting with José van Dam's four villains, each neatly spiced with a different brand of malice. Leonilda Vaduvu's Antonia is equally classy and she alone manages to slow down Nagano. Natalie Dessay is precise as Olympia, for a long time Sumi Jo's role. She has now moved on, rather less happily, to Giulietta. A new performing edition by Michael Kaye is used, which means that Dapertout's *Scintille*, *diamant* has

been dropped as unauthentic. It can be found on André Cluytens's classic 1948 recording, recently released by EMI (7243 5 65260 2). In those days they did not squabble about versions but played what sounded right in the theatre.

ORCHESTRAL

Barry Millington

DAUGHERTY

*Metropolis Symphony: Bizarro*  
Baltimore Symphony Orchestra/Zimman  
*Argo 452 103-2*  
TITLES such as *Le tombeau de Libera* and *Dead Elvis* are evidence of, at the very least, an ability to catch the ear. But Michael Daugherty is also rapidly acquiring a reputation as a chronicler of popular contemporary American culture. If icons such as Libera and Elvis carry just a whiff of nostalgia, then so too does the invocation of Superman in Daugherty's *Metropo-*

*lis Symphony*: in fact, the work was inspired by the fiftieth anniversary of the comic-strip hero's first appearance. Each of the five movements of the symphony investigates a different aspect of the Superman myth: the whistles and fenchish dance music of *Lex*, for example, invoke the villain Lex Luthor, while *Krypton* refers to the exploding planet from which the infant Superman escaped. The reworking of the medieval *Dies irae* chant as a tango (Superman's fight to the death with Doomsday) is a typical Daugherty conceit, skilfully carried off. *Bizarro*, a spin-off from the Superman project, is closer to the worlds of big-band jazz and rock. The Baltimore Symphony Orchestra and David Zimman, who add this disc to an impressive continuing series of Americans on Decca's "progressive" label, Argo, are more than equal to the task.

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# Carrying on with a white man in Africa

Body-fungus and sweat-terrorism: Thomas Pakenham navigates the story of an African river expedition, through waters of snapping crocodiles, in search of long-forgotten dinosaurs

The story opens in Poto-Poto, a poor quarter of Brazzaville in Africa, when the smiling *fricheuse* reads their fortunes from cowrie shells.

"I hope to go on a great journey through the far northern forests," says Redmond O'Hanlon, the leader of the expedition, "by dug-out to the headwaters of the Mobata where we'll abandon the boats, walk east through the swamp jungle and across the watershed to the Ibenga... and then, if we're lucky, paddle down to the Likouala-aux-Herbes and walk to the hidden lake. Lake Tété, where Mokélé-mbémbé, the Congo dinosaur, is said to live."

"Not Not Not!" protests the *fricheuse*. "Then you will die."

Of course, far from dying, O'Hanlon completes his excruciating six-month journey in triumph, and has spent the last five years slaving away at this brilliant, hilarious, self-intoxicating book. Some critics have compared O'Hanlon's travel writing to Evelyn Waugh's. But there is no comparison. Waugh was a fastidious writer, frugal

CONGO JOURNEY  
By Redmond O'Hanlon  
Hamish Hamilton, £18  
ISBN 0 241 12768 8

with words, careful to keep his wit dry; if he was intoxicated, it was not with himself. O'Hanlon lets everything hang out when he goes up river. Words splash down him relentlessly. He evacuates his mind onto the page.

In the traditional travel book, the author keeps a firm grip on the narrative; dialogue is brief and to the point. Most of this book is in dialogue, and it is often hard to follow the track of the expedition. Did I misread their maps, or did they misread their maps? They seem to be going round in circles. But perhaps it doesn't matter. In the swamp jungle one mud-hut is as good as another. But

whatever happened to Mokélé-mbémbé, the dinosaur they were supposed to be searching for? That, too, seems to be forgotten. On goes the dialogue, flowing like old man Congo, until their paddlers bring them safely back to Brazzaville, with their kiribags, a goat, a baby gorilla and two crocodiles.

To be fair to O'Hanlon he is not too happy about the crocodiles. These are the special interest of the Congolese partner in the expedition, Marcelin Agnagna. In Marcelin, O'Hanlon has created a splendid, predatory central figure. He is the *chef de service* of the Department of Fauna Preservation in the People's Republic of the Congo, the product of a French lycée and a college in Cuba.



O'Hanlon: lavish

Marcelin has invented the myth of the Congo dinosaur to fool Japanese tourists, and to some extent he has fooled O'Hanlon himself. The dinosaur, an African Nessie, gives Marcelin and his hangers-on a good living.

He can combine a career as travel guide (and womaniser, for he has a girl in every port on the river) with field research for his uncompleted thesis on crocodiles. To extract more money from the white men's terrors of the jungle ("You'll be attacked by bees. There'll be leopards round the camp at night. You'll get ulcers on your legs. You'll develop body fungus. You must take care with vipers and cobras.") When these terrors pall, he plays the fetish card.

Finally, when O'Hanlon runs out of cash, Marcelin asks for a recommendation for an academic post at Oxford.

The other central figure in the story, apart from the irrepressible O'Hanlon himself, is Dr Lary Shaffer, a hard-drinking, hard-sweating American academic. My suspicion that he had been supplied by Central Casting was confirmed when Dr Shaffer confessed his spirit was broken by the horrors of life in the swamp jungle.

"Jesus," said Lary. "That was the worst night of my whole life."

"Yeah! How did it rate?"

"I was sweat-terrorised. Stomach-turning fear shitstruck. I'd gladly sleep with my head down a toilet then go through that again... And you, you fat bastard, you just went off to sleep."

Commendably, Lary stays in the story; his face crinkled with terror, till page 271, when he is allowed to fly back home.

"Shaffer, you're going home. You've done your sum. You've kept your word." At its best the book is a tour de force. No one is better than O'Hanlon at conveying the awful monotony of Central African life — the squelch of mud and the tang of rotting fruit — contrasted with the beauty of its birds and animals. At its worst this is Carry-on-up-the-Congo with every crack a wisecrack.

I felt sorry for the Africans (Marcelin, excepted) who accompanied O'Hanlon. To have to laugh at the white man's jokes, as well as carrying his bed and his cooking pot, must have been a work of supererogation. And it must have been worst of all for the baby gorilla. This was an unfortunate orphan which O'Hanlon insisted on adopting, when frustrated at the failure of the dinosaur to break surface. Most of the time, he tells us, the gorilla whimpered. Sometimes it grunted. That must have been when O'Hanlon was making a joke.

Thomas Pakenham's *Meetings with Remarkable Trees* is published this month by Weidenfeld & Nicolson.

## The profane put in place of the sacred

Music was the foundation of the Greek curriculum — the subject that addressed both mind and body, and which schooled the youth in virtue and vice. Taste in music, Plato argued, affects the very roots of social order, and it is imperative not merely to understand what young people enjoy, but also to control it.

Modern societies have followed Plato's advice only in circumstances of extreme oppression, such as prevailed under Stalin, Mao or Khroustchev. But Western universities have been wary of the spontaneous products of popular culture, and confined the academic study of music to the classical tradition, in which a silent audience listens to extended musical structures in an attitude of reverence.

The assumption has been that we teach classical music because it requires disciplined study. Expertise in pop, on the other hand, can be acquired by osmosis. Moreover, the classical tradition is composed of works which are more meaningful, more sublime, than the products of popular culture, and while it does not matter very much if a musical person goes to the grave without hearing AC/DC or Nirvana, it would be a tragedy if he ended his life without knowing Mozart.

The assumptions behind this academic approach are now being called in question. Foremost among the questioners is Simon Frith, who is not only a lover of pop, but also a crusader on its behalf. Frith wishes to persuade his readership that there is as real a distinction between good and bad pop, as between good and bad anything else, and that the music of the Pet Shop Boys repays study in the same way as the music of Mozart.

Frith's background is in "cultural studies", a discipline founded by the followers of Raymond Wil-

liams, and constructed around a Marxist agenda. As a branch of sociology, cultural studies looks on each cultural "commodity" in terms of its ideological import, and is reluctant to distinguish the good from the bad lest it be accused of endorsing the elitist aspirations of a ruling class. Indeed, Pierre Bourdieu, in his influential book *Distinction*, has argued that the very idea of aesthetic value is an offshoot of bourgeois society, and has no more objective than the transient historical condition that it serves to fortify.

Roger Scruton

PERFORMING RITES  
By Simon Frith  
OUP, £18.99  
ISBN 0 19 516332 0

Frith, having touched on Bourdieu's argument, veers away from it, commendably aware that, without the idea of aesthetic value, we could never justify the pop scene to its critics. Nevertheless, he constantly postpones the aesthetic question — the question which troubled Plato, and which caused him to ban the contemporary equivalent of heavy metal from his ideal republic. Instead he litters his text with quotations, creating the impression that pop music should be taken seriously since all kinds of second-rate academics have written about it in a pedantic way.

In his previous work, *Sound Effects*, Frith had illuminating things to say about the sociology of pop, and in particular about the Fan. From my own foggy perspective, the pop fan is someone in the grip of idolatry, who has focused his undisciplined religious urges on a mere human being, and endowed his idol with sacred attributes that have little to do with

musical expertise. For Frith the Fan is a distinct sociological type, who has discovered, in the wastes of modern society, a new form of membership, through which to recuperate the experience of belonging in conditions of impassable solitude. I think we are both right. And I find much food for thought in Frith's observations.

The trouble with *Performing Rites* is that it never advances beyond a statement of the problem. Just how are we to distinguish good pop from bad? Any answer would involve philosophical principles, detailed criticism and musical analysis. All three are absent from Frith's discussion. It is surely not difficult to establish the superiority of Cole Porter over R.E.M.; one only has to look at the incompetent voice-leading in *Losing My Religion*, the misunderstanding of chord relations, and the inability to develop a melodic line in which the phrases lead into one another with a genuine musical need.

But, once you look at modern popular music in that way, you will come to see how gross, tasteless and sentimental it mostly is, and how far it is from our tradition of meditative polyphony. You will begin to see why it is that musicology still concentrates on the classical repertoire, and continues to ignore the daily diet of modern youth.



Michael Stipe (front) of R.E.M. sings of *Losing My Religion*, but the band itself has become a focus of cult-like devotion

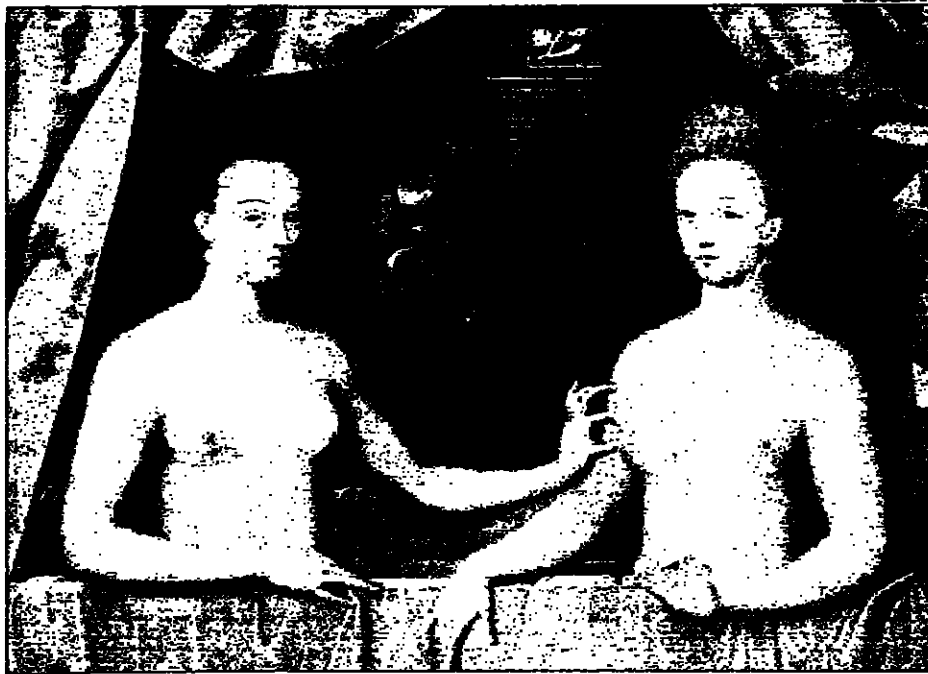
## Elegant improvisations on the sensibility of a sense

William Fiennes

TOUCH  
By Gabriel Josipovici  
Yale, £9.95  
ISBN 0 300 06690 2

Gabriel Josipovici is the new visiting professor of comparative literature at Oxford and anyone wondering what "comparative literature" actually entails might well turn to his new book for some idea. A spree of cross-reference, *Touch* discusses Sophocles's *Oedipus at Colonus* in the light of Charlie Chaplin's *City Lights* and compares the counterpoint of concentration and relaxation in Virgil and Milton with that demanded by the practice of Aikido. Josipovici moves with spry fleetness from Proust to Oliver Sacks, from cigarettes to Dante's story of Paolo and Francesca, from the still lives of Chardin to Houd's demolition of Ashley Cooper in the 1957 Wimbledon final.

*Touch* is not a cultural history of touch. There is no mention of Midos, nor the slightest glance up to the Sistine Chapel's finger-to-finger. What underlies all the allusions is Josipovici's conviction that touch is our forgotten faculty. When seeing, he sug-



Delicate touch: Gabrielle d'Estrées and her sister the Duchess of Villars (French, 16th c)

gests, we are merely spectators, but touch makes us participants. Touch restores "our sense of natural reciprocity with the world": we look out in isolation; touching engages us with everything outside.

But Josipovici is not concerned with developing these apprehensions into an argument. What he gives us instead is a series of elegant improvisations inspired by his theme. His short chapters with their resonant titles ("The Girdle and the River", "The Therapy of Distance") are loose vignettes of interpretation, taking in such topics as the mirror in van Eyck's Arnolfini portrait, medieval pilgrimage and the intuitive

sense of our own bodies known as "proprioception". As criticism, *Touch* falls into the playful mode of Barthes and Kundera. Its highbrow informality likes the shorthand of "Proust's *A la recherche*" or "Rabelais's *Pantagruel*". Josipovici is gracious in his foregrounding of the work of others, whether it be Walter Benjamin's idea of the "aura" of the work of art, Peter Brown's research into the cult of saints, or the film theory of Stanley Cavell. This book is warmed by snapshots from Josipovici's own experience: his childhood in Egypt; his love of swimming; his insistence, on arriving in Los Angeles, that he be taken to the

sea so that he could dip his hand into the Pacific. This sense of autobiography and the book's blithe temper help Josipovici to avoid the note of oracular hauteur to which George Steiner's comparable work is prone.

But *Touch* is at the same time a frustrating book. Its brief interpretations (such as its remarks on John Donne's *Hymn to God the Father*, a poem whose relevance to the theme is at best tangential) can be vague and superficial. Despite its engaging intelligence, you reach the end feeling that the ideas in *Touch* have not been grasped, just touched upon.

## Friends revisited

Diana Mosley

THE LETTERS OF  
NANCY MITFORD  
AND  
EVELYN WAUGH  
Edited by Charlotte Mosley  
Hodder & Stoughton, £25  
ISBN 0 340 63804 1

MALICIOUS, witty, sometimes affectionate, mercilessly teasing each other, Nancy Mitford and Evelyn Waugh corresponded for 20 years until his death. Having both sides more than doubles the fun of these letters.

They began to write regularly when she went to live in France. In 1945 Nancy told everyone she had voted Labour, and Evelyn pretended to think she alone was responsible for the grey and dreary England of the late Forties. At the end of the war he had written *Brideshead Revisited*: it made a lot of money which was snatched away from him by the tax gatherer. Rations became smaller. It was all her fault, and then she deserted the country she had ruined.

The War itself had been a disillusion. He had wished to look upon it as a crusade, but it ended with half Europe ruled by godless communists, while France and Italy seethed with barely hidden civil war.

Nancy was on the crest of the wave. She was in love with a Frenchman, "the Colonel," and she too had written a best-seller, *The Pursuit of Love*, so that she was rich enough to follow him to Paris. Her marriage to Peter Rodd was on the rocks. She pretended to be living in a land flowing with cream and caviar, and shut her eyes to the shortages of Liberation. Evelyn rebuked her for saying "Heavenly 1948", the blackest year in world history since 1793, according to him. The Colonel was as slippery as an eel, but she shut her eyes to that too. It is all so long ago that shafts of bitter humour, once deleted for fear of libel, can now illumine the scene. The actors are all dead.

Both writers were wildly funny, and the result is an irresistible book. The victims of their unkind jokes are

mostly well-known, so that the letters will delight and possibly horrify nearly everybody.

Nancy and Evelyn earned their living by writing; money is a constant theme and worry. Evelyn had a large family to educate; Nancy's only extravagance was Dior. She implored Evelyn to come to France, but when he did it was seldom a success. He quarrelled with Duff Cooper at Chantilly, and generally made himself objectionable, as only he knew how.

Nancy found this quite difficult to deal with, and their friendship was really based on the letters. They made each other scream with laughter, the shadows were light. All the same, they lengthened: Nancy's love affair did not prosper, and Evelyn began to feel his Church under threat.

THE ADVENT OF Pope John XXIII was a sorrow to Evelyn. The reforms of the Vatican Council knocked him flat. He was only 62, and he dreaded the possibility of having to live with these reforms another 20 years. Strangely enough, his desperately sad last letters, in March 1966, were to me. I had asked him a question. He wrote: "There is nowhere I want to go, nothing I want to do." He died on Easter Day 1966.

The letters are impeccably edited by Charlotte Mosley, an expert on the period and its fauna; she has cleverly solved every puzzle.

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Norman Lamont assesses an account of our postwar Chancellors and finds its pessimism not entirely justified

# Very taxing next-door neighbours

It is surprising that there has never been a book before about Chancellors of the Exchequer. After all, there have been single volumes on the lives and careers of the Speakers, and the Lord Chancellors.

So it is a good idea. Or is it? What struck me is how sharply different the problems facing each Chancellor have been. Dalton's problems with the American Loan, or Butler's problems with ending wartime controls are light years away from today's issues. Edmund Dell purports to see running through all these postwar years a common thread of continuing economic decline accelerated by errors of policy. I wonder.

Dell invests far too much belief in something called "economic management" — a concept that often gives rise to inelegant and inappropriate comparisons between the responsibility for the nation's finances and driving a car. Sometimes it is called "steering the economy". But manipulating exchange or interest rates cannot in the long run make a country more productive or more hard-working. Competitiveness is the product of attitudes and cultures. There are policies that may increase competitiveness but they are to do with labour markets and competition policy. They are not dials on a screen in the Treasury. The author overestimates the power of single individuals to affect long-term trends.

Dell assesses the suitability for office and the record of each postwar Chancellor. Much of the book is about the

relationship between occupants of No 10 and No 11. Few postwar Chancellors have enjoyed unambiguous support from the Prime Minister. And yet without that the job becomes markedly difficult.

This is a magisterial volume written by a man who might have been an outstanding Labour Chancellor. Dell spares no one. Stafford Cripps was not austere enough. Selwyn Lloyd was not up to the job. Even the bubble of Roy Jenkins is rightly pricked.

**THE CHANCELLORS**  
By Edmund Dell  
HarperCollins, £25  
ISBN 0 00 25558 1

Jenkins was the beneficiary of the Callaghan devaluation. But he was slow to take the measures to make that devaluation work, and subsequently chose to blame his officials rather than himself. Far from being a prudent Chancellor he left a legacy of rising inflation although the next Conservative Government made things even worse. Edward Heath is rightly dismissed as a man "whose performance in office defies rational explanation".

The most interesting part of the book is that dealing with Healey's Chancellorship. The account of why the Labour Government decided not to join the ERM at its beginning should be read by everyone interested in today's debate on European monetary union. Here the author is writing of events in which he participated. He is a little too generous to his boss. The triumph of

politics over prudence, rightly condemned in other Chancellors, is simply accepted as unavoidable in Healey's case.

The Budget of 1975 is hailed as the turning point in postwar economic history: the battle against inflation took precedence over unemployment. But did Healey have any choice once inflation had reached 25 per cent? It was hardly heroic to direct attention belatedly to a problem threatening to get out of control.

But Edmund Dell is not partisan. The Chancellor he most admires is Howe ("Not a traitor, merely one of the most honest men in politics driven to the end of his tether.") Dell is every bit as withering as Margaret Thatcher about the Conservative weils.

Dell's analysis of the Lawson years inevitably lacks inside knowledge but makes up for that in its sharpness. He underestimates Mrs Thatcher's understanding of economics. Dell is inclined to dismiss her views as "instincts". But even he has to concede that her "instincts" were often right.

Dell does not believe in monetarism and certainly not in "exchange rate monetarism". So Lawson is given rather too much of the lash. Dell catalogues his attempts to find an economic lodestar or rules of management that would lessen discretion in policy. This he describes as "dogmatism at its worst".

Dell rightly says "any Chancellor needs humility". But one should not confuse public presentation of policy with the inner man. In my experience Nigel Lawson was all too well



Not the only Chancellor to come in for a hard ride: Sir Stafford Cripps in a *Daily Mirror* cartoon from the 1940s

aware of what might go wrong: the unexpected event and the fallibility of forecasts. It was because he was so well aware of the uncertainty of the future that he never stopped searching for impartial rules for policy. This was not dogmatism, rather the opposite.

Dell concedes that Lawson was the most technically quali-

fied of all the Chancellors since 1945. In the end he is fair: "The probability must be that any Chancellor would have been caught out by the particular group of circumstances that confronted him from 1986 onwards."

This is a fine book. I have one reservation. It is rare for me to find someone more

pessimistic than myself. But Dell is too pessimistic. He concludes that little has got better. I believe that in the end the 1980s will be seen as a period when there were real competitive improvements in the UK economy. However, it is still early days. The jury is still out. But what is clear is that the consensus on econom-

ic policy has changed dramatically. Mrs Thatcher has changed the Labour Party. There is a much wider acceptance in all political parties of the need to fight inflation. That is a real gain.

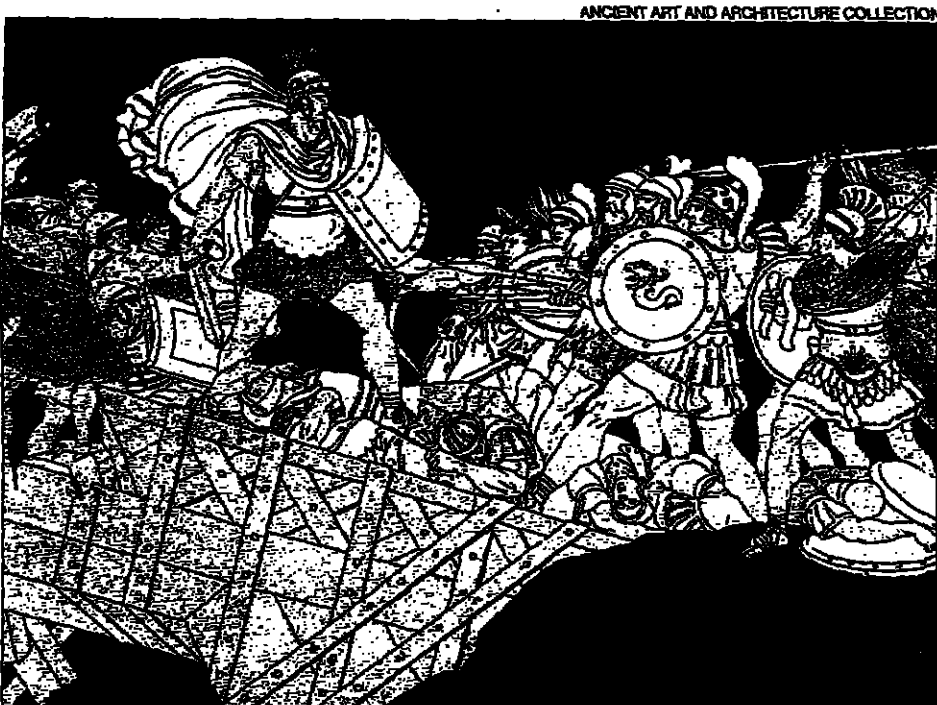
The Rt Hon Norman Lamont, MP, was Chancellor of the Exchequer 1990-93.

## Din of battle echoed in song

Kenneth Baker has great gifts in the art of anthology compiling. He is on a par with Palgrave and Quiller-Couch, who would have been proud to have contrived this collection. Most of his chosen poets are English-speaking but there is a fine scattering of Spanish, Portuguese, Italian, French, Japanese, Chinese, Ancient Greek and Romans. His scholarship and hard work on research are immense. It is amazing how he dug out Peter Woodhouse, noted only as the author of *The Flea*. Uncanny Woodhouse wrote in 1605: "I see a Soldier's service is forgot! In time of peace the world regards us not."

Did Kipling read it or was it in his subconscious? "I went into a public-house to get a pint o' beer, / The publican 'e up an' sez, 'We serve no red-coats here... / But it's 'Thim red line of 'erces' when the drums begin to roll —"

That war is horrible for women is strikingly displayed by an anonymous Irish poet of the 10th or 11th century. A soldier who alone kept at bay hundreds of the enemy "in an angle of hard rock" had no food for 30 days, nor had the noble wife at his side. He tells her to leave and find "some fine fitting man" from among



The faces of war: Pinelli's engraving of Horatius on the bridge above the Tiber (1886)

his enemies. Scornfully she refuses, choosing to stay with her man, come what may. That takes us straight to an old favourite, Macaulay's Horatius: "And when above the surges / They saw his crest appear / All Rome sent forth a rapturous cry! / And even the ranks of Tuscany! Could scarce forbear to cheer."

There is much, apart from the wide selection of patriotic glorification of war, on the apparent pointlessness of it. Robert Southey's *The Battle of Blenheim*: "And everybody praised the Duke / Who this great fight did win." / But what good came of it at last? / Quoth little Peterkin, / "Why that I cannot tell," said he / "But 'twas a famous victory."

The tragic waste of the

### Woodrow Wyatt

**THE FABER BOOK OF WAR POETRY**  
Edited by Kenneth Baker  
Faber, £17.50  
ISBN 0 571 17453 1

unnecessary Great War is sung by poets like Siegfried Sassoon or Wilfred Owen, who wrote: "Some cheered cheer Goal! Only a solemn man who brought him fruits / Thanked him; and then inquired about his soul."

I knew Alun Lewis. We once shared a girlfriend. Often I have dwelt on the sadness of the death at 29 in Burma of this talented poet of fine, unfulfilled promise. He gave the impression that he expected to die, unlike most of us buoyed up by youth's vigour into a sense of immortality. Alun's gloom is indicated in a quote from *The Jungle*: "Grey monkeys gibber, ignorant and wise. / We are the ghosts and they the denizens. / We are like them anonymous, unknown. / Avoiding what is human, near. / Skirting the villages, the paddy fields..."

Second World War poets tended to be more robust. This time all felt it was a necessary war fought under first-class commanders. So were the wars of Athens, the first democracy, fighting against dictatorial Spartan help to defeat the Persians. This is translated from the Greek poet, Simonides: "The ground is holy: here the brave are resting. / And here Greek honour keeps her chosen shrine. / Here too is one the worth of all attesting — / Leonides, of Sparta's royal line..."

Despite its occasional touches of irony, John Jarmain's *El*

*Alamein* is in the same spirit: "Like Troy or Agincourt its single fame! Will be the garland for our brow, our claim. / On us a fleck of glory to the end! / And there our dead will keep their holy ground."

Baker's fascinating tour of war poetry has its humour, too. There is a section on "The Consolations of Obscurity". Reliable Anonymous provides: "She went to her mother. / 'Oh mother,' she said, / 'I'd rather be single. I'd rather be dead. / I don't mind a man who's got rather small balls. / But balls to a soldier with no balls at all. / No balls, no balls at all. / But balls to a soldier with no balls at all.'"

The anthology is divided into nearly 70 sections, each depicting different aspects of war. There is an excellent introduction, with which I have only one mild disagreement. "Wars are caused by the failure of politicians... it has been estimated that in this century alone over 108 million people, military and civilians, have died as a result of war." Wars, like disease, are caused in part by nature as a means of dealing with overpopulation and by long-stored hatreds between different groups of human beings, as well as by the desire for conquest. Always on the ball, the editor has included up-to-date verses by Richard Heller. *The Minister has all his notes in place*: "While Serbian artillery take aim / Decide which new civilians they should maim. / He fills the Chamber high with empty talk. / And here's another child will never walk. / The opposition make synthetic rant. / He answers with the Foreign Office cant. / Some random shrapnel takes a boy's right eye. / The other one is all he needs to cry."

## Souring the milk of human kindness

Bel Mooney

**WORST FEARS**  
By Fay Weldon  
Fleming, £16.99  
ISBN 0 00 22320 5

Nothing is new on the subject of infidelity; nevertheless, Fay Weldon would not be herself if she did not provide one or two small surprises in her narrative. Alexandra Ludd (famous actress) is married to Ned Ludd (famous theatre critic) who dies of a heart attack, leaving his widow to discover not just one major infidelity but many minor screws. Nothing is as she thought it would be, not even the roof over her head. Although the outcome is not hard to guess, Fay Weldon's tale proceeds at a page-turning pace towards the final act of destruction.

In the novel she sets up polar opposites: "best-wishing" and "worst fears" — the one flinging open the windows of acceptance and forgiveness, the other kicking in doors of the darkest rooms. Maybe this works in criticism too. I best wish Fay Weldon for many things in this, her 21st novel. There is the economy of the prose, the verve, and wit in the

matter, were not one to have a residual faith that Fay Weldon wishes, by her satire, to heal. That is how it was — in (say) *Praxis* or *The President's Child*. The trouble is, the other point of satire is to punish, without mercy. This view of life hates most people, or at least despises them. It enforces stereotypes, because some chinks of complexity might throw light into the darkest of rooms where the worst fears fester. It goes for sickness and stereotypes because the pain inherent in these fictional constructs cannot be borne.

I admired the novel when I thought Fay Weldon was struggling as to which had mastery: amusement or contempt. I like it when her fiction left room for optimism, and did not seem to play so easily to the reviewers' lazy clichés: "Wickedly funny" etc. There will be plenty of those. But hang on — maybe nothing wicked is funny. Maybe some laughs are too easy.

The worst fear is that the novelist has given up on kindness. One paragraph sums up Fay Weldon's brilliance and weakness. "Worst fears: That she, Alexandra, had been deceived by Ned in his life: that the grief she felt for him was wholly compromised, so it would never heal, never go away, because she had no idea what she was grieving for. And not knowing, and never being able to know, there was no 'her' at all... She was something elusive, a conjurer's effect, produced by the trickery of someone, for the entertainment of others."

This is great stuff. But the point is, Fay Weldon herself is the conjurer, reducing the (admittedly fallible) woman at the heart of the narrative to an automaton. Alexandra, and all the other stereotypical characters, do not exist in any universe other than that of the pantomime or puppet show. Yes, the entertainment is not in question. It would not



Fay Weldon: verve and wit

truer sense of the word, beyond jokes. The familiar short paragraphs are allowed occasionally to expand, so that one can take a breath rather than just puff. Fay Weldon has also the nerve to move swiftly from her habitual terse acidity to breathtaking observations: "That was why you grieved for the dead, because they could no longer be part of the exhilaration of renewal." Her admirers will not be disappointed, and will certainly find much more for which to best-wish this most prolific of novelists.

### SATURDAY BOOKS

Laughter and tears: Elisabeth Luard on the life and times of Peter Cook  
Do Yew or do Yew not? — Paul Barker on James Bartholomew's upwardly mobile gardening

## Island voices sing

EARL LOVEFACE'S previous novels have as their central concern the difficulty of achieving "self pride" and "personhood" in the context of a community destabilised by race, class and gender conflicts. *Salt* is no different. It presents a Trinidad fractured by competing ethnic groups: an island oppressed by white colonists and betrayed by its post-independence political leaders. Its two main characters, Alford George, school-teacher turned politician, and Bango, a black peasant, struggle to escape the entrapments of history. Loveface explores major post-colonial concerns: the debasement of the psyche because of slavery; the inheritance of ethnic strife (white versus black compounded by the arrival of brown and yellow Asian immigrants to Trinidad in the 19th century) which undermines the rhetoric of nationhood; the neglect of the black underclass by the black political elite.

David Dabydeen

**SALT**  
By Earl Loveface  
Faber, £15.99  
ISBN 0 571 17349 9

So, *Salt* is destined for the machinery of academia, what with its seemingly accessible ideological content. It will gripe me, however, to see this amazingly vivid and joyous novel gutted and presented in slabs of dead scholarship. For what is breathtaking about *Salt* is Loveface's pure delight in making changes and making languages. The novel teems with characters so improbable that they could only have come from real life. We are introduced to a cast of dozens over three centuries, all trying to tell his or her own story, and Loveface has the generosity to allow each a space. He has the ability to craft them all into a deeply satisfying whole, for the novel is remarkable for its measured sprawl. Loveface is an anthropologist, historian, fabulist and griot of his community. Or else a unique record of rum shop voices, for in the West Indies you only encounter such a variety of people, each wit, bizarre and heartrending stories, in an institution such as the rum shop.

AS TO Loveface's language, he is in a world of his own. He starts a sentence, then allows it its own joyous life, so that the words tumble out, the clauses bleed into each other; the sentence rovers, recedes, then ends abruptly. Or else a sentence starts and meanders backwards to locate its beginning. It is a carnival of Creole sounds, and this is the deepest ideology of the novel, the display of the power of West Indian speech, the emancipation of the West Indian tongue from the shackles of the English sentence.

Finally, however much the characters fail to achieve self-fulfilment, they are ultimately redeemed by the power of narrative love. It is Loveface's love for his characters which lights up the novel; the act of writing lovingly is the novelist's way of consoling his community. *Salt* achieves this movingly and brilliantly.



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# Britain look to Goulding for hope in adversity



# Torre's small talk spurs Yankees

Cone, however, had had a night to remember. "When I was lying in that hospital bed and heard the word 'aneurysm,' the World Series was the farthest thing from my mind," he said. "I wish I was eloquent enough to tell you how I feel about being here tonight."

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## FOOTBALL

# Todd keeps his eye on higher prize

By PETER BALL

BOLTON Wanderers did not have long to savour their 2-1 victory over Chelsea in the third round of the Coca-Cola Cup on Tuesday night, their latest knockout blow to opposition from the FA Cup.

They were back in training yesterday, preparing for a less glamorous, but more important, visit to Barnsley tomorrow.

"That's a big game for us," Colin Todd, the Bolton manager, said after watching his team add Chelsea to a list of recent cup victims that includes Arsenal, Aston Villa, Everton and Liverpool. If a return to the Premiership is the priority for the leaders of the first division of the Nationwide League, another cup run is still a welcome distraction.

"We feel capable of beating a lot of clubs," Todd said.

The greatest satisfaction at the most recent success was

winning at Blackburn Rovers, the real shocks were confined to east Lancashire, but Gillingham and Luton Town both produced commendable results. Carl Hughes earned Luton a draw with Wimbledon at Selhurst Park, the second-division club proving more successful than Wimbledon's recent Premiership opponents. Joe Kinnear's team will now find out what it is like to be the giant visiting a small ground when they go to Kenilworth Road for the replay.

Gillingham did equally well, coming from two goals down to hold Coventry City to a draw after Paul Telfer had given the Premiership team an apparently secure lead at the interval. By the end, Gillingham were unlucky not to have won as Simon Radcliffe and Andy Hesselthaler controlled the midfield, Radcliffe scoring the equaliser after Iffy Onuora had initiated the recovery.

"We're relieved to get a replay when you look at some of the other results," Ron Atkinson, the Coventry manager, said. "But I am very annoyed. Let's face it, the game should have been over at half-time. When you take your foot off the pedal and start free-wheeling, as some of our players did in the second half, it is asking for trouble."

Coventry certainly found it. "I'm disappointed we didn't win," Tony Pulis, the Gillingham manager, said. "But Paul Scally, the chairman, is delighted with the replay. It means a lot more money in the coffers and it is a boost for me, too, because I want to buy more good players."

He might find he is selling before he buys. "Ron Atkinson asked me afterwards who are the best midfield players in the lower divisions," Pulis said. "I told him he's just seen them - Radcliffe and Hesselthaler."

There was no repeat glory for York City this time round - instead there was a repeat of the events of last year. A year ago, after beating Manchester United in the second round, York succumbed to Queen's Park Rangers. This year, after their win over Everton, they were again brought back to earth by less glamorous Premier League opposition, this time in the form of Leicester City. The Midlands club matched York for effort, and let their ability decide the issue.

As well as the satisfaction of putting one over his former club, Blake may have further cause for celebration. Among the spectators who saw him causing endless problems for the Chelsea defenders was Bobby Gould, the Wales manager. Blake's last international call-up ended in disappointment, but with Mark Hughes suspended for the visit to Holland, his selection is on the cards.

With Stockport County

## Crystal Palace sign Shipperley for £1m

By OUR SPORTS STAFF

GRAEME SOUNESS, the Southampton manager, yesterday agreed to sell Neil Shipperley to Crystal Palace for £1 million and will now intensify his efforts to sign Pavel Kukka, the Czech Republic player.

Shipperley, who has lost his first-team place to the Norwegian, Egil Olsen, was Southampton's joint record signing when he joined them from Chelsea for £1.2 million after a spell on loan with Watford. He has scored 12 goals in 65 games for Southampton.

Terry Byfield, the Crystal Palace secretary, confirmed last night that Shipperley, a former England under-21 international, was expected at Selhurst Park today for a medical and to finalise personal terms.

Souness, who was impressed by the player during Euro '96, now plans to offer £2 million for Kukka, who plays for Kaiserslautern in the German second division. He first tried to sign him six weeks ago but Kaiserslautern were keen to hang on to Kukka while they were in the Cup Winners' Cup.

Portsmouth were also interested in signing Shipperley but were unable to meet Southampton's asking price. Branco, a member of the Brazilian World Cup-winning squad in 1994, has been released by the Middlesbrough manager, Bryan Robson.

The 32-year-old full back will have the final eight months of a lucrative contract paid up after making only one Premiership appearance this season. He was not even chosen for a Central League match against Sheffield United last week.

Robson signed Branco last February but the player arrived in England a stone overweight and made only five appearances in the closing weeks of the season.

Branco said yesterday: "I am glad I was able to help out Middlesbrough during a difficult period. Also, I was able to give my great friend, Juninho, the help and encouragement he needed."

Robson admires Branco's attacking skills but he has to tighten a defence that has conceded 11 goals in the last four games.



Becker gives a forehand return full concentration during his straight-sets victory over Rusedski in the Stuttgart Open yesterday

## Becker makes it through the pain

By OUR SPORTS STAFF

GREG RUSEDISKI, the Canadian-born Great Britain No 2, lost to Boris Becker in straight sets in the second round of the Stuttgart Open yesterday. The three-times Wimbledon champion from Germany then admitted that he is still playing in some pain.

Rusedski, who had successfully negotiated the qualifying competition, went down 6-4, 6-4 to the sixth seed but was far from disgraced. Indeed, his world ranking of 56 may even improve a little when the next list is announced on Monday. After winning three qualifying matches, he beat Carlos Moya, of Spain, who is ranked No 24 in the world, in the first round on Tuesday.

When Becker is playing in

front of his fanatical German supporters, it is hard not to feel some sympathy for his opponent. Although he missed several key chances to get a grip on the match, Rusedski played some crisp volleys and passing shots to scant applause. By contrast, the crowd roared the German's every move.

Becker took an early initiative with a service break in the third game of the match, when Rusedski played a forehand into the net. Although not serving at his best, Becker then clinched the first set after 39 minutes, when the Briton hit a service return out of court.

There was a spell in the second set in which both players just boomed in their services and rallies were few

and far between. But, in the ninth game, the German hit a forehand passing shot to break again and lead 5-4. In the next game, he won the match with an ace. It had lasted 68 minutes.

Becker, the Australian Open champion, suffered a wrist injury at Wimbledon earlier this year and said: "The more I play, the more it hurts. But it comes with the package. The injury has gone but, because I had a cast for so long, some of the muscles disappeared. I can only get them back by playing tournaments."

He needs good results at this event to make sure of a place at the final event of the season, the world championship, in Hanover next month. He won the title last year but said that his main goal at the

moment was simply getting fit enough to play.

"Sometimes, going to the doctor has been more exhausting than playing tournaments," Becker said. "But my priority at the moment has been to make it to Hanover, but I have only been thinking about my body recently."

Of yesterday's victory, Becker said: "I have to be satisfied to win in straight sets here, because this is probably the best field ever." The top 38 players in the world have all been playing at the event with the exception of Andrei Medvedev, who is injured.

Earlier yesterday, Thomas Muster, the defending champion and No 3 seed, limped out of the tournament with a recurring hip injury. The Aus-

trian retired from a second-round match with Mark Woodforde after the Australian had taken a 3-0 lead in the third set.

Muster said: "I have had this for a few years and it is not getting better. If I knew what to do with it, I would be a doctor, not a tennis player."

Stefan Edberg, another former Wimbledon champion, who is playing his last year on the ATP Tour, also went out in the second round yesterday, losing 7-6, 6-3 to Goran Ivanisevic, the No 5 seed from Croatia. The Swede had beaten Tim Henman, the British No 1, in the first round.

Pete Sampras, of the United States, enjoyed a comfortable 6-3, 6-4 victory over Sargis Sargsian, a qualifier from Armenia.

## Crowther switches from defence to attack

By ALIX RAMSAY

AFTER months of speculation, the Lawn Tennis Association (LTA) yesterday announced the appointment of John Crowther as its new chief executive. Crowther will take over from Ian Peacock at the beginning of January and will spend the next couple of months acquainting himself with the workings of the LTA.

Crowther's experience of tennis is limited - he is a regular recreational player - and it was his business ac-

men that earned him the job. Over his 23-year career, he has worked for Hawker Siddeley and British Aerospace and is at present the chief executive of the defence systems division of Vickers plc. Such experience should stand him in good stead as, for much of the past ten years, Peacock has taken flak from all sides as British tennis has tried to emerge from the doldrums.

Crowther, however, will take the reins just as the international aspect is im-

proving. With Tim Henman ranked No 25 in the world and Greg Rusedski heading for the top 50, he should have an easier start than his predecessor.

He sees his first task as getting to know and understand the characters and the issues involved at every level of the game. "In my years in industry, I have experience of negotiating with everyone from African dictators to prime ministers, so I think I can bring to the job an understanding of what makes

people tick," he said. "Sport is big business these days and I am aware of the LTA's commitment to success from grass roots to international level."

Crowther is planning to move his own grass roots - his wife and three sons - from Harrogate to London as soon as possible and, at 45, is relishing the change. "I woke up one morning and thought I don't want to do what I'm doing for the rest of my life. I need a new challenge and this job is certainly unique."



Crowther: negotiator

## CRICKET: THIRD-WICKET PARTNERSHIP PAVES WAY FOR THIRD SUCCESSIVE WIN

### Cullinan keeps South Africa ahead

By OUR SPORTS STAFF

A CENTURY by Darryll Cullinan helped South Africa to a 27-run victory over India in the first of two Tests at the M. A. Chidambaram Stadium in Chennai. Cullinan, who has scored 1,349 in 14 Tests, was unbeaten on 100 in the first innings.

South Africa scored 249 for six and then restricted India to 222 for seven from their 50 overs.

Having won all their three matches, South Africa lead the round-robin league with six points and will guarantee their place in the final on November 6 if they defeat Australia, still without a win from their three matches, in their next match at Feroz Shah Kotla in Delhi.

South Africa, who lost Andrew Hudson with the score on five, were indebted to Cullinan, who scored 106 off 124 balls and enjoyed a 113-run third-wicket partnership with Hansie Cronje, the captain, who scored 58 from 73 balls. Cullinan was, unsurprisingly, named man of the match.

Gary Kirsten, who scored only 29, set a world record during the innings for the most one-day runs in a calendar year. The South African left-handed opening batsman beat the tally of 1,349 that Brian Lara, the West Indies vice-captain, scored in 1993. Kirsten has scored six one-day hundreds this year.

Tendulkar and Sourav Ganguly, the left-handed batsman, made a solid yet relative-

ly slow start for India, putting on 126 runs for the first wicket, but the India middle order failed to capitalise on their efforts.

Tendulkar was caught by Gary Kirsten at deep mid-on off the medium-paced bowling of Brian McMillan in the 31st over. With his next ball, McMillan had Rahul Dravid caught behind. The all-rounders finished with three for 32 from nine overs. Ganguly

### Youngest Test player

HASAN RAZA, a batsman, will become the youngest Test player today if he makes the Pakistan XI against Zimbabwe in Faisalabad in the second and final match of the series.

The holder of the record is Mushaq Mohammad, Pakistan's coach, who was 15 years and 124 days when he played against West Indies at Lahore 37 years ago.

Raza is expected to play in place of Shadab Kabir in the middle order, being preferred to Shahid Khan Afridi who sprang to fame earlier this

month when he scored a century off 37 balls in a one-day international against Sri Lanka in Nairobi.

The Zimbabwe captain, Alistair Campbell, said yesterday that his team had gained in confidence following the successful rearguard action in the first Test at Sheikhupura, where they trailed by 178 runs on first innings.

Henry Olonga, a fast bowler, is returning home because of a groin strain but his replacement, John Renzie, will not arrive in time to be considered for the Test.

then lost his off stump to Allan Donald, and the India response was fatally undermined.

Mohammad Azharuddin waged a lone battle to keep India in the match, remaining unbeaten on 56, from 60 balls, but watched as four of his team-mates perished at the end of a series of wild strokes in a vain effort to improve the run-rate.

"The bowlers did a great job in pegging down the Indian batsmen," Cronje said. "The Indian openers kept them in the game and we were beginning to get worried until Tendulkar got out. Cullinan played a gallant knock to enable us to post a fighting score."

Navjot Sidhu, the opening batsman who walked out of India's tour of England last summer, has been recalled for the remaining matches in the 'Titan Cup'. He replaces Sujith Somasundar after completing a 50-day disciplinary ban imposed by the Board of Control for Cricket in India (BCCI) on October 14.

Scoreboard, page 45

## BOXING

## Schwer steps out in search of title bid

By SRIKUMAR SEN, BOXING CORRESPONDENT

BILLY SCHWER tonight continues with his programme to re-establish himself as one of the world's leading lightweights. Another win against a good domestic opponent should help the former British and Commonwealth champion finally to put behind him the defeat ten months ago at the hands of David Teteh, of Ghana.

He meets Alan Temple, of Hartlepool, at Brent town hall and should come through without mishap. Schwer does, however, have a tendency to cut. If he is forced to concede as a result of the bout being stopped through facial injury, it will be a blow to his world title hopes.

Schwer's first objective for next year is the European title, however, for which he is the leading contender. He sees that as a platform to strike for a second attempt at a world crown. "Temple is a southpaw who likes to counter," Schwer said. "After this, hopefully next year will be my year."

Temple is a good boxer who can punch and should provide lively opposition. The Hartlepool man has been preparing himself for his big chance. "We have watched tapes of Billy," Temple said. "I see this as my big chance. I'm up for this one. I've got nothing to lose." But Schwer should prove too strong and accurate for Temple and should win inside the distance.

On the undercard, Col. Dunne, the Southern Area lightweight champion, wars up for his challenge next month for the British crown held by the world-rated Michael Ayers, of Ealing. Dunne meets Guillaume Dibateza, of Zaire.

The choice is a good one, for Dibateza has taken Ayers the distance and, should Dunne manage to stop him, his confidence for the title bout would be greatly enhanced. But Dibateza is experienced and durable and will probably take Dunne the full eight rounds.

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COCA-COLA CUP: Third round: Blackburn Rovers 0 Stockport County 1; Bolton Wanderers 2 Chelsea 1; Gillingham 2 Coventry City 2; Ipswich Town 4 Crystal Palace 1; Port Vale 0 Oxford United 0; Wimbledon 1 Luton Town 1; York City 0 Leicester City 2.

SCOTTISH COCA-COLA CUP: Semi-final: Dunfermline Athletic 1 Rangers 6. VAUGHAN CONFERENCE: Spalding Cup: Spalding City 2 Southport 1. UEFA UNDER-18 CHAMPIONSHIP: Qualifying match: Iceland 2 Denmark 2 (at Dalnawair Park).

FA UMBRO TROPHY: First qualifying round replays: Moor Green 6 Atherton 1; Lough Rell 1 Drogheda 3; Blisdon 4 Atherton 1; Gillingham 1 Barnet 4; Gillingham 1 Barnet 4; Gillingham 1 Barnet 4.

PONTINS CENTRAL LEAGUE: Second division: Manchester City 1 Hull 1; Rotherham 3 Bradford 1, Third division: Doncaster 3 Chesterfield 0.

COMBINED COUNTIES LEAGUE: Premier division: Colchester Casuals 6 Repton Park 1; Godalming and Guildford 4 Cove 1. Postponed: Ash v Hartley Wintney.

WINSTONLEAD KENT LEAGUE: First division: Corinthian 0 Greenwich 1; Thamesmead 0 Cray 2; Tunbridge Wells 0 Home Bay 1; Whitstable 2 Crookham 0.

















## RUGBY LEAGUE 43

Larder left to pick up the pieces for Britain

# SPORT

THURSDAY OCTOBER 24 1996

## GOLF 45

Montgomerie sets off on victory lap at Valderrama



Ultimate fan pays ultimate price

## Blue was his colour, football was his game

By ROB HUGHES, FOOTBALL CORRESPONDENT

WHAT is the legacy of Matthew Harding, killed in a helicopter crash on Tuesday night, to his beloved Chelsea FC? As the tributes around Stamford Bridge built up yesterday — the blue irises, the blue scarves draped on the temporary fencing of the still developing home of Chelsea — Ken Bates, club chairman and, at times, Harding's adversary, tried to put a perspective on football, on life and death, on the future.

"The North Stand will be renamed The Matthew Harding Stand," Bates said. Fair enough. Without the £5 million loan that Harding, the ultimate fan, had given, the huge stand which seats 8,244 would not now be in place.

But Bates went further. He pledged the board's commitment to completing Harding's dream of making Chelsea a world-class team in a world-class stadium. And Bates said: "His financial commitment to the club is in place, and it is not jeopardised."

Interesting. It may sound insensitive so soon after the tragedy, but we will have to wait to see what is written in Harding's will to know if anything of the financial promises and arrangements Harding had set up are "jeopardised". What 42-year-old, and vice-chairman of a club in which he did not totally share the vision of the chairman, would give open-ended

commitment to the tune of £26.5 million to his club? Indeed, what 42-year-old in the prime of health will have written caveats on loans and pledges, not expecting the sudden end to his life?

Harding, who bubbled with life as everyone who came into contact with him has testified, was a man with a particular football club the colour of blue in his soul. Moreover, from his self-made fortune in the

for 13 years before Harding arrived had fought so hard to keep out of the hands of property speculators.

That £16.5 million land holding, for which Harding received £1.5 million annual rent, is the key to Chelsea's future. It was held by the Royal Bank of Scotland, who have the deeds until 2012. By then, Bates, too, will have gone and, unless it is clearly written in Harding's legal documents, who can be certain that the security of tenure at the Bridge is forever?

Harding had promised to put the land in trust to the club, but when the emotion and all the sincere feelings down the Fulham Road subsided, someone must ascertain whether that intention is jeopardised or not.

These may sound cynical questions and may appear to come too soon into the period of shock and mourning. However, the full legacy of this remarkable fan cannot be evaluated until his business partners and his family have had a decent time to assess his pledges and heart's desire.

Meanwhile, what tributes? Outside the gates, one floral offering read: "A friend of the ordinary fan — you did the club proud. Chelsea would not be the same without you." A man with a child, perhaps as young as eight, the age at which Harding was first taken to the old North Stand by his father, stood and stared. "It wasn't just his pocket," the man said, "he was a Chelsea fan at heart."

Janet Rainbow knew this all along. Her job was to run the Chelsea Pitch Owners' Club, to which Harding subscribed as a shareholder. And it was she who prompted Bates to telephone Harding with the typically gruff opening line: "I'm told you're a fan with

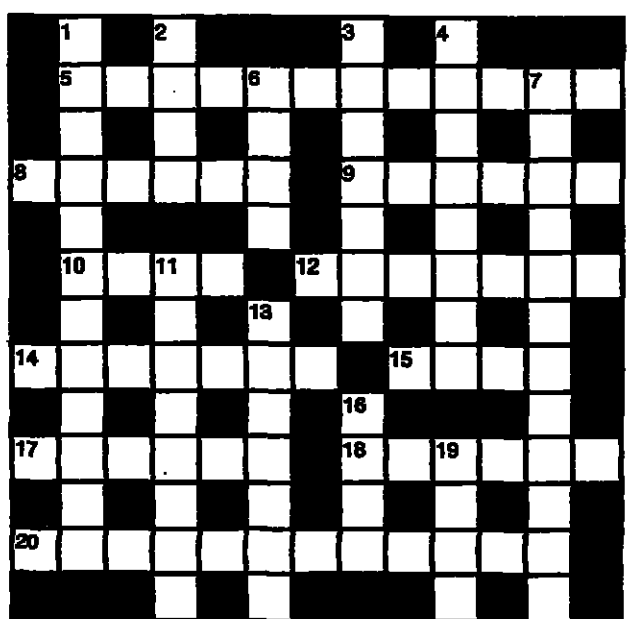
Chelsea tribute ..... 1  
Harding's loves ..... 3  
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insurance business, he had the means to play Walter Mitty to degrees almost beyond belief of anyone other than Jack Walker, at Blackburn Rovers.

As the helicopter shattered across the Cheshire countryside, the thought came home that among other investments in Chelsea FC is Harding's £16.5 million ownership of the very land on which the club stands — the land which Bates

TIMES TWO  
CROSSWORD

No 921 in association with  
BRITISH MIDLAND



ACROSS

- 5 Communication by pose, expression (4,8)
- 8 Teaching book: type of paint (6)
- 9 Dignified older woman (6)
- 10 Gripping device; evil trait (4)
- 12 King between Henry I/II (7)
- 14 Obstacle to progress (7)
- 15 Annual period (4)
- 17 Work out; shape of body (6)
- 18 Shrewd (6)
- 20 Unable to work together (12)

DOWN

- 1 Shortening (of word) (12)
- 2 Dutch cheese (4)
- 3 Enliven (7)
- 4 Consisting of several parts, individuals (8)
- 5 Incitement (4)
- 6 Extensive traveller (5-7)
- 7 Ribbed fabric (8)
- 13 Delivery acknowledgment (7)
- 16 Agreement (for eg co-operation) (4)
- 19 Low brass instrument (4)



Harding bubbled with life

even more money than I've got. We'd better talk."

Many people in the three years since that October day came to take sides, and began to call Harding rather than Bates the saviour of the Bridge. They were a fractious pairing, not least when Bates closed the directors' box to Harding a year ago.

The nub of their differences was that Bates saw the future built around Chelsea Village, securing the club together with a hotel and leisure complex. Harding, on a mission that began in the North Stand — The Matthew Harding Stand — 34 years ago, wanted simply, and at whatever cost, to rebuild the club in its own environment and entity.

A master businessman, he reasoned that football was a wonderful investment only so long as its total priority was the team and the stadium. He lived for those two things, he baited the bear of the Bridge, and he sat quite comfortably, sometimes a little mischievously, in the company of the Prime Minister while promising £1 million to the funds of the Labour Party.

But, above and beyond the wranglings, what Harding was paying for was to restore the swagger and the class of the Chelsea team which, 25 years ago, had beaten Real Madrid to win the European Cup Winners' Cup in Athens.

Peter Osgood, the centre forward of that team, said yesterday: "He was a wonderful man, buoyant, flashy if you like, but he was bringing back the period of the 1970s. I've only known Matthew four years, but I feel I've known him all my life."



Beal, left, is pursued by Catt during England's training session at Henley yesterday. Photograph: David Rogers/Allsport

## RFU rules out arbitration with clubs

By DAVID HANDS  
RUGBY CORRESPONDENT

THE Rugby Football Union (RFU) has laid out its plans for the administration of the professional game before those clubs that will be most affected. Going over the heads of the English Professional Rugby Union Clubs (Epruc) representatives, with whom it has fallen out once more, it hopes that its "fair and liberal" proposals will appeal to the majority of the 24 clubs that make up Epruc.

The clubs' first response will come at a special general committee meeting in London tomorrow, which was initially designed to debate Sir Pat Lowry's proposals for a more streamlined and effective union. Ironically, Sir Pat, the chairman of Wasps, is the former head of Acas, and yesterday it was suggested by another Wasps, Charles Levenson, that independent arbitra-

tion could be the way forward after seven weary months of dispute.

That proposal was firmly rejected by John Richardson, the RFU president. "We each of us know what our differences are and I don't think a referee would necessarily help," he said. Richardson insisted at Twickenham that his union had not reneged on a draft agreement reached with the clubs earlier this month, but that the RFU had to retain rights of approval over competitive structures and broadcasting rights.

The union's proposal is for a new company to be formed for the management of senior club rugby, comprising two RFU representatives and six from the clubs, one of whom would be chairman. "But we cannot just leave the clubs to get on with their competitions and find they cut across our structured season or sponsorship deals," Richardson said.

He believes that the RFU draft agreement, in any case, goes beyond what many members consider advisable.

However, Levenson, a member of the Epruc negotiating team, claimed that the union's attitude had hardened in the days between their meetings this month. His organisation will state its case today, but the options available now to Epruc are stark:

Goulding's task ..... 43

either it can accept the RFU proposal, or it can pursue its claims over restraint of trade in the courts and break away from the union.

It is clearly the hope of the RFU that many clubs — essentially those which have no private investor supporting them — will accept the union's proposal and thus create a split in Epruc ranks. "The best

solution is that no clubs break away," Tony Hallett, the RFU secretary, said. "There are conflicts between different clubs, those that are owned and those that are not. We have gone straight to the clubs and we hope that, properly explained, our agreement will be seen as fair and generous."

There is, however, no immediate threat to England's playing plans at senior level. Training at a sunlit Henley went ahead as scheduled yesterday, and though the RFU declared that under no circumstances would it call off an international, even if it had to go outside the present squad for selection purposes, Epruc officials concede that the withdrawal of their players would do their cause no good.

Will Carling, the former England captain, asserted — in the continued absence of a successor — his view that England's prospects were being harmed by the dispute.

"The players would very much like to know who the new captain is, and he needs the chance to imprint his personality," Carling said.

"Players want to support their clubs but they also want to play for England. There are no circumstances in which I would not play for England and I don't think players should be used as pawns. No one has the right to ask a player not to play for his country and it would be a public relations disaster anyway."

Carling and Phil de Glanville, of Bath, who has represented the players' interests as required, both spoke with Richardson, and national squad members have been given copies of the RFU proposals. Both players may have reflected as they passed the village of Crazies Hill on leaving Henley that such a location is apt for English rugby just now.

## Isolated Harford ready to accept the inevitable

By DAVID MADDOCK

BARONESS THATCHER of Kesteven is the honorary vice-president of Blackburn Rovers. It would be opportune if the Iron Lady were to take a more active role in club affairs, as Ewood Park is suffering from an indecision at boardroom level that borders on the incompetent.

Quite what the former Prime Minister, not known for her equivocation, would make of the situation at Blackburn is unclear, but no doubt she would not be too impressed.

The word crisis is used too frequently when addressing problems at football clubs, but it is fair to say that the farcical scenario that unfolded yesterday qualified for such a description. Ray Harford, the manager, was left sitting by a telephone, waiting for word that he would be put out of his misery. It never came.

Harford has had enough at Blackburn. He has made it clear that he took the manager's job with huge reservations when he succeeded Kenny Dalglish 15 months ago. Back then, he predicted problems in trying to follow Dalglish. Things have, as he feared, not worked out, and he wants to leave, should the terms be favourable.

Harford has had his fill of taking the blame for the problems that have beset Ewood Park. He knows that the supporters will never turn on Jack Walker, the club's wealthy owner, nor, by proxy, his board. So it is the manager who must shoulder all the blame, and he no longer wants to put his family through that ordeal.

He is also weary of trying to repair the damage caused by

the loss of Alan Shearer, the inspirational forward sold to Newcastle United for £15 million shortly before the season started. Harford has tried to sign the quality replacement he believes will alter his team's fortunes, but has been hampered by a lack of financial commitment from his own board.

Thus he is ready to call it a day, a conviction made stronger by the demoralising home defeat at the hands of lowly Stockport County in the third round of the Coca-Cola Cup. The problem, however, is that he has had no communication with Walker or Robert Coar, the club chairman, and he does not want to quit for obvious financial and emotional reasons.

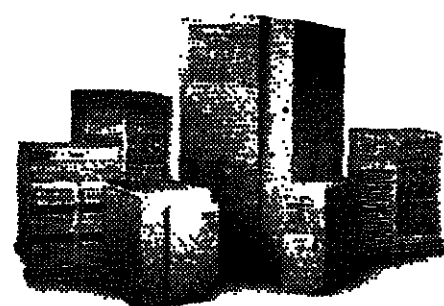
They have offered not the merest suggestion of support, or even a lack of it, and Harford believes he has been left to take the flak while they vacillate. Even yesterday there was no discussion of the crisis, with Coar going to great lengths to avoid contact with the media on the subject.



Harford: reservations

## MORSE

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Name/Address .....

### SOLUTION TO NO 920

ACROSS: 1 Browned off 8 Amenity 9 Troth 10 Tape  
11 Dethrone 13 Bravo 14 Navy 16 Fishwife 17 Less 20 Idiot  
21 Epitome 22 Trespasser  
DOWN: 1 Blast 2 One-upmanship 3 Nail 4 Dryden 5 Fetching  
6 Top of the pops 7 Cheery 12 Hot water 13 Boffin 15 Offers  
18 Sinner 19 Diva

A FREE RET...  
TO PARIS ON...  
EUROSTAR

Life...  
Mo...  
the...  
son

Boy...  
of sur...

Savings...  
National...  
explained...  
hole...  
Auditor...

The Times...  
http://www...



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WEATHER...  
CROSSWORD...